

Mr. TOWNER: Committee on Insular Affairs. H. R. 9270. A bill to confer upon the territorial courts of Porto Rico concurrent jurisdiction with the United States courts of that district of all offenses under the national prohibition act, and all acts amendatory thereof or supplementary thereto; without amendment (Rept. No. 1102). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KNUTSON: Committee on Pensions. H. R. 12019. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; without amendment (Rept. No. 1097). Referred to the Committee of the Whole House.

Mr. PARKER of New Jersey: Committee on Military Affairs. H. R. 6204. A bill to grant the military target range of Lincoln County, Okla., to the city of Chandler, Okla., and reserving the right to use for military and aviation purposes; with an amendment (Rept. No. 1100). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KNUTSON: A bill (H. R. 12019) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. ELLIS: A bill (H. R. 12020) to define a period in which certain claims may be presented for determination to the Commissioner of Internal Revenue for refund of taxes erroneously collected from certain estates of decedents under color of section 29 of the act of Congress approved June 13, 1898, entitled "An act to provide ways and means to meet war expenditures, and for other purposes," and amendments; and to authorize payment of amounts allowed in the determination of such claims; to the Committee on Claims.

By Mr. GREENE of Massachusetts: A bill (H. R. 12021) to amend and supplement the merchant marine act, 1920, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. CABLE: A bill (H. R. 12022) relative to the naturalization and citizenship of married women; to the Committee on Immigration and Naturalization.

By Mr. SMITHWICK: A bill (H. R. 12023) providing for an additional appropriation for eradication of citrus canker in Florida; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PATTERSON of Missouri: A bill (H. R. 12024) granting a pension to Mary J. Replogle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12025) for the relief of Henry Shull; to the Committee on Military Affairs.

Also, a bill (H. R. 12026) granting a pension to Alexander Surrall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12027) granting an increase of pension to Mary E. Logan; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 12028) granting an increase of pension to Elizabeth J. Thorn; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 12029) granting a pension to Florence A. Patterson; to the Committee on Pensions.

By Mr. WURZBACH: A bill (H. R. 12030) granting a pension to T. J. Cage; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5996. By Mr. CHALMERS: Petition signed by the principal and teachers of the Roosevelt School of Toledo, Ohio, protesting against intrusting the Armenians to Turkish rule; to the Committee on Foreign Affairs.

5997. By Mr. KELLY of Pennsylvania: Petitions of citizens of Pennsylvania, praying for release of political prisoners; to the Committee on the Judiciary.

5998. By Mr. KISSEL: Petition of Labor, Washington, D. C., Edward Keating, manager, relative to the recent wage decisions of the United States Railroad Labor Board; to the Committee on Labor.

5999. Also, petition of Republican Interstate League, Washington, D. C., urging the enactment of the antilynching bill; to the Committee on the Judiciary.

6000. By Mr. NEWTON of Missouri: Petition of 342 citizens of St. Louis, Mo., protesting against the passage of House bill 9753, introduced by Mr. Fitzgerald; to the Committee on the District of Columbia.

6001. By Mr. VARE: Memorial of Central Labor Union of Philadelphia, asking recognition of Russia; to the Committee on Foreign Affairs.

SENATE.

THURSDAY, June 15, 1922.

(Legislative day of Thursday, April 20, 1922.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

NAVAL APPROPRIATIONS.

The VICE PRESIDENT. Under the unanimous-consent agreement previously entered into, the tariff bill will be temporarily laid aside, and the Chair lays before the Senate the naval appropriation bill.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11228) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1923, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gooding	McKinley	Sheppard
Borah	Harris	McNary	Shortridge
Bursum	Heflin	Nelson	Simmons
Calder	Hitchcock	Newberry	Smoot
Cameron	Johnson	Nicholson	Sterling
Capper	Jones, N. Mex.	Norbeck	Swanson
Culberson	Jones, Wash.	Oddie	Trammell
Curtis	Kellogg	Overman	Underwood
Dial	Kendrick	Pepper	Wadsworth
Edge	Keyes	Phipps	Walsh, Mass.
Elkins	King	Pittman	Walsh, Mont.
Ernst	Lenroot	Poindexter	Watson, Ind.
Fernald	Lodge	Pomerene	Willis
Gerry	McCormick	Rawson	

Mr. CURTIS. I desire to announce that the Senator from Wyoming [Mr. WARREN] is absent on account of illness in his family.

Mr. UNDERWOOD. I wish to announce that the senior Senator from Florida [Mr. FLETCHER] is absent by reason of illness.

Mr. HARRIS. I desire to announce that my colleague [Mr. WARREN of Georgia] is detained by illness.

The VICE PRESIDENT. Fifty-five Senators have answered to their names. A quorum is present.

Mr. POINDEXTER. Mr. President, in connection with the naval appropriation bill which has just been laid before the Senate there was a report submitted. The report was printed some days ago and sets out the most important changes recommended by the Senate Committee on Appropriations in the bill as it passed the House. I do not care to take the time of the Senate in making a speech upon the bill or any feature of it at this time. I ask unanimous consent that we may proceed first to the consideration of the committee amendments. When they are disposed of the bill will then be subject to any amendments that may be proposed.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington?

Mr. KING. Does that mean that there is to be no reading of the bill?

Mr. POINDEXTER. I did not mention whether there should be a reading of the bill or not, but unless there is some reason for reading the bill at length, I would much prefer to dispense with its formal reading. I shall be very glad, indeed, to stop at any point in the bill which any Senator desires to have specially considered and take such time as may be necessary for the reading of any provision as to which that may be required.

Mr. KING. I shall not insist upon the formal reading of the bill, with the understanding that we may pause as the reading progresses, and such explanations may be asked for and given as Senators may desire.

Mr. POINDEXTER. It is the desire of the committee to have the fullest consideration of any disputed feature of the bill. I shall be very glad to cooperate with the Senator from Utah to that effect.

Mr. President, there are just one or two remarks I would like to make in regard to the bill in explanation of the general status of the matters covered by it. Senators will remember that there was quite a discussion, more or less prolonged, upon the question of personnel. The House committee reported the bill to the House of Representatives providing for a personnel of 67,000 enlisted men, of which 2,000 were to be apprentices. After a very extended debate in the House of Representatives that number was increased by action of the House to 86,000 enlisted men.

While there were some members of the committee who regretted that a larger personnel was not provided for, in view of all the conditions surrounding the Navy at this time, it was decided not to recommend any change in the provisions of the bill as to personnel as it passed the House of Representatives, and the bill contains no changes in that respect.

However, since the bill passed the House of Representatives Congress has enacted a law making some changes in the pay both of the enlisted and commissioned personnel of the Army, the Navy, the Coast Guard, the Coast and Geodetic Survey, and the Public Health Service, all the commissioned services of the Government. That has become a law, having been approved by the President. Of course whatever force we retain in the Navy will have to be paid in accordance with the provisions of that law.

I emphasize again, to those who have not had occasion to follow the matter, that that law has been enacted since the Navy appropriation bill passed the House of Representatives. Consequently it became necessary to readjust the amount of the appropriation carried in the bill for pay of the Navy, and also for provisions of the Navy to some extent, to make it correspond with the basis provided in the law to which I have just referred. That constitutes a total of approximately \$20,000,000 net increase in the appropriations carried in the bill and the chief item of increase in the appropriations, about which of course I can not see that there can be any dispute after there is an agreement as to the personnel, because it is a matter of law.

We have added an appropriation of \$10,000,000 for carrying on the work which is now in process upon the new ships of the Navy which have been under construction for several years. They include 4 battleships, 10 scout cruisers, 42 submarines, a few destroyers, and some auxiliary vessels. These are the ships left in the complement of the United States Navy under the terms of the recent naval limitation treaty entered into between the United States, Great Britain, Japan, France, and Italy.

The committee believed it to be demonstrated beyond any reasonable doubt that it was in the interest of economy, as long as we are to complete the program as to certain of the ships to which I have referred, to carry on the work steadily rather than to close down the plants and allowing the organization to be separated and then having to start up again. Such a course as that would be extravagant; and it would be an inefficient manner of proceeding. So we believe that the comparatively moderate increase of \$10,000,000 on account of what is technically called an increase of the Navy—that is, to carry on work upon ships under construction—is in the interest of economy.

There is one other increase that is made in the bill.

Mr. KING. Mr. President—

Mr. POINDEXTER. I yield to the Senator from Utah.

Mr. KING. The Senator has alluded to an increase of \$10,000,000 which is carried in the bill for naval construction. May I inquire whether that is for the construction of submarines, airplane carriers, or capital ships other than airplane carriers?

Mr. POINDEXTER. It includes all the purposes which the Senator from Utah has mentioned.

Mr. KING. Is any other part of the appropriation of several hundred million dollars to be devoted to the completion of vessels which are now upon the ways or for the construction or repair of vessels?

Mr. POINDEXTER. Does the Senator mean for the construction and repair of vessels that are already in commission?

Mr. KING. Yes.

Mr. POINDEXTER. Yes; there is another appropriation in the bill for the construction and repair of vessels that are already in commission.

Mr. KING. Then the appropriation for \$10,000,000 is for new construction solely?

Mr. POINDEXTER. It is for the construction of new ships; it is called "for the increase of the Navy."

Mr. KING. Take, for instance, the *West Virginia*, which, I presume, will be retained; will that be completed out of this appropriation of \$10,000,000?

Mr. POINDEXTER. Work will be carried on upon the *West Virginia* from a fund provided in the bill, some of which was carried in the bill as it passed the House, and which will include the \$10,000,000 if that sum is added to it. Work will be carried on upon the *West Virginia* and upon the other ships to which the Senator from Utah has referred from that fund.

Mr. KING. May I inquire, though perhaps the inquiry is not quite germane to the point to which I am now directing attention, whether the appropriation carried in the last naval appropriation bill has been exhausted?

Mr. POINDEXTER. No; it has not, and that is the reason that only the sum of \$10,000,000 is appropriated in this bill. There was no new appropriation whatever in the bill as it passed the other House for new construction, but simply a re-appropriation of the unexpended balance of the fund to which the Senator from Utah refers.

Mr. KING. The Senator will recall that the last naval appropriation bill carried ninety-odd million dollars for construction. How much of that will be available on the 1st of July next?

Mr. POINDEXTER. The sum of \$44,385,000 will then be available.

Mr. KING. Then about 50 per cent of last year's appropriations will have been expended on the 1st of July?

Mr. POINDEXTER. Yes.

Mr. KING. What becomes of the \$44,000,000 which has not been expended?

Mr. POINDEXTER. A reply to the Senator's question would involve quite an extended detailed statement. The Senator will find printed in the concluding pages of the report of the Senate Appropriations Committee on the pending bill a statement showing just how much of the unexpended balance will be expended upon each ship and upon each class of ships. It will be used upon 42 submarines, 3 battleships, 10 scout cruisers, and 2 airplane carriers to be converted from battle cruisers which were to be eliminated or converted in accordance with the terms of the arms limitation treaty.

Mr. KING. The Senator from Washington refers to that part of the report on the pending bill which is found on pages 7, 8, and 9?

Mr. POINDEXTER. Yes.

Mr. President, there is one other item that I may mention, and then I think there will be set clearly before the Senate the important recommendations of the committee reporting this bill.

The committee recommends an appropriation of \$6,500,000 for new aircraft. There was nothing carried in the bill as it passed the other House for new aircraft. However, in the report of the House committee to the House it was stated that, in the opinion of that committee, some \$7,000,000 would be required for the construction of new aircraft, and some \$500,000 for the construction of hangars and other appurtenances at aircraft stations; but the House made no appropriations for those purposes. In view of the conceded importance of the Air Service in naval warfare, as shown by the experience of other nations and by demonstrations and tests that have been carried on in this country, the committee regarded it as of vital importance that the United States should not altogether stop the construction of aircraft and the maintenance of an Air Service in the Navy. Consequently we have added an appropriation of \$6,500,000 for new aircraft and \$300,000 for construction at stations, which means the construction of buildings which are necessary to the maintenance, operation, and repair of the new aircraft to be constructed.

Mr. POMERENE. Mr. President—

Mr. POINDEXTER. I yield to the Senator from Ohio.

Mr. POMERENE. I was informed on yesterday that under this bill an effort was made to eliminate from the Air Service, I think, 50 commissioned officers. Is that correct?

Mr. POINDEXTER. Does the Senator refer to the bill as it passed the House of Representatives?

Mr. POMERENE. No; I refer to the bill as it is now pending before the Senate.

Mr. POINDEXTER. The bill as reported by the Senate committee has just the opposite effect of that, as compared with the bill as it came to the Senate from the House. Instead of eliminating 50 temporary officers in the Aviation Service, it provides for retaining in the service that number of commissioned officers.

Mr. POMERENE. Mr. President, possibly I may have misunderstood my informant. Do I understand now from what

the Senator has said that the House bill would have relieved 50 of those officers from duty?

Mr. POINDEXTER. The House bill would have relieved from duty a great many more than that, or, more correctly speaking, would not have prevented their separation from the service, because they would have been separated from the service under existing law unless some new provision was made for them.

Mr. POMERENE. Let me ask the Senator further, so that my understanding may be clear about this question, if I am justified in inferring from what the Senator has said that under the pending bill the Air Service connected with the Navy Department will continue as it now is?

Mr. POINDEXTER. No; not strictly speaking; but it will continue as it now is, with the exception that under the existing law some of the temporary aviation officers will be separated from the service by limitation of time on the 1st of July. That is what the law now provides entirely separate and apart from this bill.

Mr. POMERENE. How many of them?

Mr. POINDEXTER. In the neighborhood of 83.

Mr. WALSH of Massachusetts. Mr. President—

Mr. POINDEXTER. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Perhaps I can enlighten the Senator from Ohio, because, as the Senator from Washington will recall, I had something to do with the hearings before the subcommittee of the Naval Affairs Committee on this subject.

Mr. POINDEXTER. Will the Senator from Massachusetts allow me to complete the statement I was making, in order that the Senator from Ohio, if I may make myself clear, may get a correct idea of the matter?

Mr. WALSH of Massachusetts. Certainly.

Mr. POINDEXTER. In the neighborhood of 83 aviation officers failed in the examinations which were given them some time ago, and, having failed, they would be separated from the service by the expiration of time and the limitations of existing law on the 1st of July. We recommend in this bill that an opportunity be given to not exceeding 50 of those officers to be reexamined.

Mr. POMERENE. May I ask for a reference to the page of the bill which contains that provision to which the Senator has alluded?

Mr. PITTMAN. It is on page 35.

Mr. POINDEXTER. It is at the bottom of page 35 of the bill.

Mr. WALSH of Massachusetts. Mr. President—

Mr. POINDEXTER. I yield the floor.

Mr. BORAH. May I ask a question in regard to the procedure here?

Mr. WALSH of Massachusetts. I yield.

Mr. BORAH. Do I understand that the formal reading of the bill has been dispensed with and that it is to be read for committee amendments?

Mr. POINDEXTER. I understand that we are to proceed to take up the committee amendments as they are reached in the reading of the bill. In the colloquy on the floor, while there was no formal agreement on the subject, it was tentatively understood that the reading of the entire bill was dispensed with, unless some Senator should ask that some portion of it in which he was interested be read.

The VICE PRESIDENT. The Chair understands the Senator from Washington to request unanimous consent that the formal reading of the bill be dispensed with; that the bill be read for amendment, and that the committee amendments be first considered. Is there objection?

Mr. BORAH. I have no objection to that procedure, Mr. President.

The VICE PRESIDENT. The Chair hears no objection, and it is so ordered.

Mr. WALSH of Massachusetts. Mr. President, at a later time I will explain in detail the situation in connection with the aviation service of the Navy as to which the Senator from Ohio has asked. I understand, however, the Senator from North Carolina [Mr. SIMMONS] desires to take the floor, and I will not take the time to discuss the matter at present. I yield the floor to the Senator from North Carolina.

THE TARIFF.

Mr. SIMMONS. Mr. President, I dislike very much to interfere with the naval appropriation bill which is now before the Senate, but I gave notice on yesterday evening that, while I could not then speak because of the lateness of the hour, I desired at the first opportunity to make some remarks in reply

to the very remarkable speech delivered on yesterday by the Senator from North Dakota [Mr. McCUMBER] with reference to the tariff bill.

The Senator from North Dakota delivered a speech yesterday which divides itself naturally and logically into two parts: First, an explanation, or an attempted explanation, of the criticisms and assaults upon his bill by the Republican press, especially the great metropolitan Republican newspapers; and, secondly, an argument in favor of his bill based upon the spread between the invoice or landing cost of the foreign article and the retail selling price of that article in the American market. I think an examination of the bill will show that such was its objective, and that as an explanation on the one hand of the newspaper opposition to his bill, and an argument on the other hand in favor of the rates in the bill, the Senator's effort was wholly inadequate and must have been a dismal disappointment to those who sympathized with his purposes.

Mr. President, I wish as briefly as I possibly can to analyze the Senator's several contentions; and first let me direct my attention to his defense of his bill from the assaults that have been made upon it by the newspapers and the general public. It is well known that heretofore, in the discussion of tariff measures, very little attention has been paid to the specific schedules in the bill. The discussions have centered around the fundamental differences with respect to the tariff principles of the two great political parties, the difference between what the Republicans termed low tariff or free trade, as advocated by the Democrats, and high tariff or protection, as advocated by the Republican Party.

I have had to do with many tariff bills, and I have discovered how little light such general discussions have thrown upon these measures that are of such vital importance to the people. I therefore determined, Mr. President, as the minority member of the committee responsible for the management of this bill upon the floor of the Senate, that I would see to it that this bill had a thorough discussion, not only of a general character, not only of an academic character, but a discussion in detail of the paragraphs and the items and the schedules, to the end that the press of the country and the people of the United States might be advised as to the extent of the taxes imposed and the reasons of their imposition, that they might intelligently pass judgment upon whether the circumstances and facts of the particular case justified the tax. So for the first time in the history of tariff making in this country we began a detailed discussion of every item as it was reached, presenting the facts and the figures touching the particular article taxed, and exposing the injustice of the tax in case the facts did not in our opinion warrant the duty imposed.

When we first began that discussion, the other side of the Chamber refused to respond, and let it be understood that having the votes to pass this measure they did not care to participate in the discussion of the items. It was with difficulty that we secured from them responses to inquiries for information, but we were not disheartened. We pressed on with the discussion, we made exposure after exposure, and as a result in a short time we began to reach the public with our facts and arguments against these rates. Then we began to reach the press of the country. As never before, the public began to discuss these tariff rates, while certain great metropolitan papers that had always stood for protection, that had always been orthodox in their Republicanism, began to take interest in these daily discussions and to investigate these rates. They soon saw that the bill was not a protective measure at all, that its rates did not square with any principle of protection that had ever been advocated in this country by the champions of protection or that had ever been declared by Republican conventions as the basis of rates. They began to see that instead of being a tariff for protection it was a tariff to maintain existing exorbitant profits and prices of the products of the protected industries; that it was not only a tariff for the purpose of maintaining those profits but it was a tariff which afforded an opportunity further to advance those profits to the point of further profiteering without danger of competition from abroad. As a result, Mr. President, a great metropolitan paper of the Middle West, always staunch in its Republicanism and adherence to the theory of a protective tariff, unable to square this bill with that theory and with the welfare of the American people, came out in a great editorial denouncing the measure. I refer to the Chicago Tribune, a paper of as large circulation, as I understand, as any paper in the Middle West. The Chicago Tribune declared the bill to be iniquitous; it declared that it ought never to pass in the form in which it was then presented. That was followed by a great editorial in the New York Journal of Commerce, another great Republican

paper, upon the same lines, making substantially the same arguments that we had been making here upon the floor of the Senate against these items, one after another.

Mr. President, I took occasion to read these editorials into the Record and to comment upon them, and at the same time to express the hope that other great newspapers in this country, irrespective of party, would follow these discussions and make independent investigations of these rates, and discharge their duty to the public by exposing this bill and these rates if in their judgment, after these investigations, they thought it proper to do so. As a result, other papers—I shall not recount them now, but later I shall refer to them again—other great newspapers in this country representing the Republican Party, and Democratic and independent papers as well, not only in the great metropolis of the country but in the smaller towns of the country, speaking as Republican organs, speaking as independent organs, speaking as nonpartisan and as commercial papers, came out in denunciation of the measure; whereupon the chairman of the Finance Committee, becoming alarmed at the effect of these assaults upon his bill, felt the necessity of making some answer, felt the necessity of making some explanation, in the hope of breaking the force of this volume of opposition and protest from the press which was meeting a ready response from the people of the United States, including many lifelong and staunch Republicans and protectionists.

Mr. HITCHCOCK. Mr. President, I will ask the Senator to allow me to interrupt him to cite the fact that at least one important commercial body, the Chamber of Commerce of the city of Lincoln, Nebr., a Republican stronghold, formally met, and the retail section of that chamber of commerce adopted resolutions protesting against the passage of the bill, and those resolutions were formally transmitted to the Senators and Representatives from Nebraska by the Chamber of Commerce of Lincoln, a city which is overwhelmingly a Republican center. I have been informed that other representative bodies of that sort, representing the business interests of the community, have held similar meetings of protest.

Mr. SIMMONS. I recall that the Senator did present the resolutions to which he refers, adopted by the Chamber of Commerce of the city of Lincoln, Nebr.

The Senator from North Dakota, in charge of this bill, under the impulsion of necessity, from his standpoint, took occasion to make a violent assault upon the Republican newspapers from which I had read. He charged that they were influenced to make their attacks upon his bill because of the advertising patronage which they receive from the department stores and the importers, of course charging, by that, that the commercial opponents of this bill were confined to the department stores and the importers. He attempted to account for their opposition upon the ground that these great journals were moved in their opposition by the advertising subsidy they were charged with receiving from those sources. The Senator from Arkansas [Mr. CARAWAY] asked the Senator from North Dakota if he meant to say that these importers and these department stores could have purchased the support of these great newspapers with cash, and he declined to answer, but let his charge stand.

When the Senator in his first speech attempted in this way to account for the assaults of the two papers—the only ones I had quoted at the time of his defense—I countered by quoting not one or two but a half dozen or more additional papers, some of them Republican and some of them independent papers. A few days thereafter I supplemented that list by presenting to the Senate articles from nearly a score of papers published in different parts of the country, some of them farm papers, some of them commercial papers, some of them nonpartisan papers, one of them, I think, a religious paper, and others independent papers, and to this good day he has persisted in the contention that the motive he assigned accounted for this opposition to his bill on the part of these great newspapers.

Yesterday he repeated his former charge and devoted much of his speech to renewed denunciation of these papers and these alleged sinister influences charged with influencing their action in this behalf.

Mr. POMERENE. Mr. President, I will not interrupt the Senator, if he objects, but I have before me an editorial from the Ohio State Journal, a Republican paper, of June 3, 1922, bearing upon this subject. I will not introduce it now, unless the Senator desires me to present it.

Mr. CARAWAY. Will not the Senator from Ohio let me set him right? He will remember that the junior Senator from Ohio [Mr. WILLIS] read that paper out of the Republican Party the other day.

Mr. POMERENE. I know it has been independent at times, but the editor and publisher of the paper contributed liberally to the Republican campaign fund in Ohio in 1920.

Mr. SIMMONS. If the New York papers, such as the Journal of Commerce, the Globe, the Daily News Record of New York, the New York Tribune, and the New York Herald, five great Republican papers in that city, five of the leading papers of the greatest metropolis on earth, can be influenced to oppose a measure of this kind, promulgated by the party in charge of the Government, a measure claimed to be in the interest of general prosperity; if they can be purchased by the advertising of two relatively small classes of interests, then indeed has the press of America sunk to a low level; then indeed are the vital interests of the American people, whose palladium of liberty and freedom is largely an untrammelled and an honest press, in jeopardy.

These are all great papers. They are supposed to be highly prosperous and to be backed by adequate finances. They are published in the metropolis of the world, so to speak, where the press is supposed to be free from the local and partisan influences which may obtain in small communities. The country at large is in the habit of looking to the great metropolitan press for a fair, honest, impartial expression of opinion with reference to public questions, and yet the chairman of the Finance Committee would have the country believe that five of the great Republican papers of the metropolis of the country can be purchased, their columns and their editorials, with advertisements.

When it was shown, as it has been shown, that the opposition is not confined to the press of the metropolis or to the great importing centers, but is widely distributed, the Senator persists in the charge that the baneful influence of the department stores and the importer upon the newspapers of the country, perverting the channels of information upon which the people are wont to rely for aid to solve the great public questions which confront them, accounts for the opposition to this bill, which has assumed threatening proportions in the ranks of his own party.

Mr. President, I can not conceive of anything more far-fetched than that. Even if the opposition were confined to the newspapers published in the immediate vicinity of the importing metropolis, or in the immediate vicinity of the department stores, I can not understand the argument, and I can not understand why the chairman of the Finance Committee should be willing to present to the American people such an argument as that in explanation of these assaults upon the bill. It seems not only inadequate but, if I may say it without discourtesy, trifling and frivolous.

Mr. President, are the importers the chief advertisers of the country? Indeed, are they large newspaper advertisers at all? If we take up the great newspapers of New York or of Chicago or of Philadelphia or of Baltimore, I venture the assertion that we will find in them very little advertising by the importers. The great advertisers are not the importers. The great advertisers are the men who make the special articles, the great industrial combinations and corporations, many of which have received such specially favorable consideration and treatment in the bill. They are the greatest newspaper advertisers. Many of them are in favor of the bill and want it passed.

But is it conceivable that these great newspapers with these two classes of advertisers, one the importer doing a small amount of advertising as compared with the other doing a large amount of advertising, in order to serve the smaller advertising patron would deliberately antagonize the larger and more profitable one?

Mr. HITCHCOCK. Mr. President—

Mr. SIMMONS. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. I rather deplore the apparent admission of the Senator from North Carolina that it would be possible under any circumstances for any set of advertisers to control the papers of New York or any other city.

Mr. SIMMONS. Why, Mr. President, nothing could be further from my thought than admitting it. I said "if" it could be done.

Mr. HITCHCOCK. The Senator from North Carolina would be justified in condemning the arguments of the Senator from North Dakota [Mr. McCUMBER] as childish and provincial and entirely out of date. If there is one thing fairly established in the newspaper world to-day it is that advertising is placed upon the strictest business principle. There is not an advertiser of any importance who does not buy his publicity at the cheapest price at which he can get it. There is not one of them who spends a dollar if he can avoid spending it. Of the millions of dollars invested every year in advertising in the newspapers

of New York City, practically every dollar is put into the newspaper advertising upon the most cold-blooded business principle. There is not an advertiser who goes into a paper by reason of favor and I doubt whether one one-hundredth part of 1 per cent of the advertising in New York City is a matter of favor.

Merchants do their advertising because they have to reach the public. They buy their advertising space as they buy the goods they sell, upon the lowest possible market and to get the greatest amount of publicity for the least amount of money. Any paper in New York, probably every paper in New York, rejects thousands of dollars of advertising a year and declines to accept it. I repeat, the money of the advertiser that goes into the newspapers nowadays goes in because the merchant is compelled to do it to get publicity, and the day has gone when advertising is placed by favor.

I will say to the Senator from North Carolina that during the last generation advertising has developed into a science. The great merchants of New York employ men at high salaries to find how they can get the largest amount of advertising, the largest amount of publicity, for the least amount of money, and they figure down to the very one-hundredth part of a cent how much an inch of space costs per thousand of circulation, and they buy that inch. They buy it not because they want to favor the paper, but because they must have the publicity to run their business. So this talk about advertising being placed by favor is not only an unjustified charge against the New York newspapers and against the newspapers of any city, but it is an idiotic charge, Mr. President.

Mr. BURSUM. Mr. President, I desire to ask the Senator from Nebraska a question about newspapers.

Mr. HITCHCOCK. No man would make such a statement who understood anything about advertising in this day and age.

Mr. BURSUM. Does the Senator from Nebraska believe that the newspapers of the metropolitan cities, such as New York, are more patriotic than the newspapers of the State of Michigan?

Mr. HITCHCOCK. No; no more than the people of New York are more patriotic than the people of the State of Michigan.

Mr. BURSUM. Then, how does the Senator from Nebraska reconcile the attitude on his side of the Chamber—

Mr. SIMMONS. Mr. President, I am not going to yield for a political argument.

Mr. BURSUM. When the charge was made on the floor of the Senate that by reason of extensive advertising by Mr. Newberry in the newspapers of the State of Michigan the press was controlled and influenced.

Mr. HITCHCOCK. I have never made such a charge.

Mr. SIMMONS. Mr. President, I will not yield further for this political argument.

The VICE PRESIDENT. The Senator from North Carolina has the floor and declines to yield.

Mr. SIMMONS. I will permit the Senator from Nebraska to conclude his statement, but I decline to yield for a political argument.

Mr. HITCHCOCK. I do not want to detract at all from what the Senator from North Carolina has said. He is absolutely correct in condemning the ridiculous charge made by the Senator from North Dakota. All I wanted to say is that the Senator from North Dakota [Mr. McCUMBER] has betrayed his absolute ignorance of modern business methods when he argues that advertisement is placed by favor. A merchant would be an idiot to advertise by favor. What he is doing is to advertise for business, and he is placing his advertising where he can get the most publicity and circulation for the least possible money.

Mr. SIMMONS. Mr. President, what I tried to say and what I think I did say in substance was that the special articles which are put upon the market by the protected industries of the country and which find a ready and universal sale by reason of general advertisement are not advertised by the retailer, but by the producer. I might illustrate that by the American Tobacco Co. and the Liggett & Myers Tobacco Co. The retailers who sell their products do not do the advertising of those products. The producers and manufacturers advertise throughout the country, making the brands popular, and thereby stimulating business and the demand for their products in the different localities of the country.

They and not the importers are the great advertisers. If the newspapers had to choose between the small advertiser and the large advertiser, they would undoubtedly not choose so as to offend the large patron in the interest of the smaller patron, was the statement I made, and, of course, that is true.

Again, Mr. President, the Senator from North Dakota thinks that the opposition to the bill not attributable to the influence of the importers over the newspapers is due to the influence of

the advertising patronage of the great department stores. He violently assaults these stores. He referend to them, as I recall it, as octopuses working much havoc and wreckage to the business welfare. Finally, as I recall it, in the heat of argument he compared them to the trusts. He puts the department stores in the same evil category as the trusts.

Mr. President, the trusts of the country are outlawed because they tend to stifle competition and arbitrarily establish prices. They are the subject of animadversion for that reason. But the department stores, which the Senator from North Dakota so bitterly denounced, do not suppress competition. On the contrary they are one of the greatest agencies in the country in the regulation of competition to the end of keeping down prices. They are popular with the people and almost continuously are putting on reduced price sales at which they must sell on small profit margins and which encourage and promote competition. Their prices and profits, while, of course, large in some instances, are relatively small. The reduced prices of the department stores, news of which is carried over the country in their advertisements, have their effect, too, upon the prices in stores in the smaller cities and towns. In the cities the competition among the department stores themselves is generally real and very sharp.

Department stores, therefore, instead of operating against the interest of the consumers of this country, operate in their interest through the regulation of prices. I will admit that during the World War the department stores, together with everybody else, went wild upon the subject of high prices, and that to a certain extent prices are still far too high; but I submit that the general influence of the department stores has not been against the public welfare; has not added to the burdens of the consumer but has been a restraining influence upon unbridled profiteering.

Mr. President, the Senator from North Dakota proceeded throughout his argument upon the theory that the department stores were practically the only importers. Nothing could be further from the mark than that. He claimed that they were the chief beneficiaries of the high retail prices which the Senator called to the attention of the Senate on yesterday and denounced. As a matter of fact, the department stores are not large importers and their prices are lower than the average retailer. Some of them are not importers at all. A representative of Marshall Field & Co. came to my office a few days ago and discussed this subject with me, and he made the statement—and I believe it is true—that 90 per cent of the goods and wares carried in the department stores which are controlled and owned by Marshall Field & Co. are produced in the United States and that this was the average percentage. He stated that 10 per cent of their goods were of foreign origin, but that a larger part of that 10 per cent was composed of articles which were not produced in this country at all, and that the greater portion of the remainder consisted of foreign novelties and fancy designs which the trade demanded. I imagine this is true of many, if not of most, of the department stores.

It is necessary for these great establishments to keep a full line of goods. Unlike the ordinary big stores, their line of goods has to include everything, for they advertise to the people that they sell practically every article of merchandise sold in the American market. If an article is not produced in this country, they must go abroad and get it. If it is produced in this country, but not according to the design that is most attractive and popular to the consumer, they must go abroad for it.

The department stores, I repeat, are not great importers.

Who are our greatest importers? They are our great manufacturing industries. Many of them are large importers of raw materials; some import practically all their raw materials. If Senators will take the statistics and examine them, they will find that the bulk of our imports are materials which are for use in manufacturing. For instance, take silk. We are one of the greatest silk-manufacturing countries in the world; yet we do not produce raw silk. Practically every pound of raw silk converted in this country—and we manufacture sufficient to supply our domestic demand, which is very great—comes from the Orient. I might go on down the line and further demonstrate the fact that the department stores are relatively small importers.

The Senator from North Dakota in his assault upon the department stores has no basis or justification in fact; he predicated his assault upon a fictitious situation. The importers are not more interested in the defeat of this bill than the average business which is not a special beneficiary of its gratuities. I think, as the Senator from Nebraska has stated,

it is absolutely silly to assign such reasons as those which I have discussed as the cause of the general uprising of the newspapers against the pending measure. Mr. President, this uprising is not confined to the newspapers. The Senator from North Dakota seems to think that it is confined to the newspapers. It extends to the people, irrespective of party. Why, bless my soul, it is not partisan but, indeed, bipartisan, so to speak.

It is only necessary to mix with Republicans to ascertain how obnoxious this measure is to many of them, how they regard it as violative of every principle of protection for which their party has heretofore stood. The Senator from North Dakota has offered no sufficient or even plausible reason for this Republican opposition to his bill, and the answer he makes as to the newspapers' opposition is vain and futile.

The Senator does not like the editorials criticizing and condemning his bill I have from time to time read to the Senate; but at the risk of further offending I wish to now read a few more, and I now ask to put in the RECORD certain additional editorials bearing out my statement as to the general uprising against this bill and to further enlighten the Senator from North Dakota with reference to the widespread character of this hostility. First, I will read an editorial from the Chicago Daily News—not the Chicago Tribune, a Republican paper which the Senator thinks was subsidized by advertisements, but the Chicago Daily News—an independent newspaper, which speaks as follows:

Protectionist newspapers, staunchly Republican in politics, are almost daily directing attention to the excessive and extortionate duties in the pending bill. General business sentiment is hostile to it—

General business sentiment, Mr. President; the Senator from North Dakota thinks that nobody is hostile to it except the newspapers which have been bribed (?) by advertising patronage, but the Chicago Daily News, published in the great Middle West, says:

General business sentiment is hostile to it and hopes it will not be passed. In such circumstances the suggestion of cloture—

This editorial is dated May 27—

the suggestion of cloture is stupid and untimely.

Listen, Mr. President—

More light on the jokers and anachronisms of the bill is urgently needed.

We have given light day after day, but the opposition has been trying to becloud and smother that light.

Thus far its opponents have rendered the public valuable service. They are to be commended for their patient studies of obscure—

And listen again, Mr. President—

of obscure and tricky provisions that unpleasantly suggest the notorious Schedule K of the Aldrich tariff.

Mr. BORAH. What is the Senator reading from?

Mr. SIMMONS. I am reading from the Chicago Daily News, an independent newspaper, denouncing this measure, declaring that the general business sentiment of the country is hostile to it, declaring that it is full of "jokers" and anachronisms, that it ought not to pass, and that the Democrats and the other opponents of the bill have rendered the public a service in exposing it, especially its obscure and tricky provisions.

Now, I want to read another article from the New York Tribune. This article was written after the Senator from North Dakota had denounced the Chicago Tribune and the New York Journal of Commerce for "selling out" to the department stores and the importers.

Mr. WALSH of Montana. Mr. President, will the Senator pardon me?

Mr. SIMMONS. Yes.

Mr. WALSH of Montana. The Chicago Daily News will serve very well to illustrate the point made by the Senator from Nebraska [Mr. HITCHCOCK] a few minutes ago. That paper is not required to accommodate its editorial policy to the desires of any class of advertisers. I have no doubt the fact is, as the Senator from North Carolina has stated, that its patronage from domestic producers is very much larger than its patronage from either the department stores or the importers; but it is not obliged to accommodate its editorial policy to the desires of any class of advertisers. It is one of the great, profitable newspaper enterprises of the country, and it is not obliged to court any kind of advertising. It is always overwhelmed with applications for space in its columns.

Mr. SIMMONS. I do not think these other great newspapers are obliged to court advertising, either. They are highly prosperous and are able to be independent.

Now I want to read from the New York Tribune. Mr. President, is there any paper published in the United States whose Republicanism is less subject to criticism or question than that

of the New York Tribune? Down in my country it has always been regarded as the very impersonation of extreme Republicanism and extreme protectionism, though it is a very great paper, one of long life and one of great prosperity. I do not believe that the New York Tribune could be bought by the advertisements that a department store would give or by the little advertisements that it could get from the importers of New York. In fact, I think the Senator from North Dakota would search that paper in vain to find an importer's advertisement. I imagine that they are not doing much advertising now. I do not think they ever have done much advertising. I never have seen much importers' advertising matter in the papers.

Mr. CARAWAY. Mr. President, may I interrupt the Senator? A man who is making that much profit does not need to advertise?

Mr. SIMMONS. That is true, if he makes as much as the Senator from North Dakota contends.

Mr. CARAWAY. But I was going to suggest that the Senator from North Dakota picks out the Tribune and accuses it of willfully misrepresenting the facts about shoes and says that when it was set right it would not publish the correction.

Mr. SIMMONS. Yes; well, I am going to read what this paper says, anyhow, Mr. President:

A tariff bill is not the sort of bill which should be railroaded through Congress. It affects a vast variety of individuals and group interests. It touches nearly every citizen. The more open and exhaustive the discussion on it the better—if the discussion is honest. Not even Mr. McCUMBER claims that the Senate measure is error proof or that it should be taken as anything but a guess at what the country needs in the way of protection.

A tariff bill at this session would be a gift of little value to the party or the country. A steam-rollered bill would be a challenge to party discount and public indignation. (New York Tribune (Rep.), May 29, 1922.)

Mr. President, I want to read now an editorial from a paper published in Akron, Ohio. I do not know whether there are any great department stores in Akron, and I do not know anything about this newspaper. It is the Akron Times. I am told that it is an independent paper. I assume that it is honestly edited and that it is above bribery through advertising. If the Senator from Ohio [Mr. POMERENE], who sits before me, can throw any light upon it before I read, I shall be glad to yield to him.

Mr. POMERENE. It is a very high-class paper.

Mr. WILLIS. Mr. President—

Mr. SIMMONS. I suppose the Senator from North Dakota would have difficulty in showing that there was any immediate connection between this paper and the department stores or the importers.

Mr. WILLIS. Mr. President—

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Ohio?

Mr. SIMMONS. I yield to the Senator for a question, but I am not going to enter into any argument or controversy.

Mr. WILLIS. I simply want to ask a question of my colleague, if the Senator from North Carolina will permit me. I want to ask my colleague whether he indorses the view expressed by the Senator from North Carolina that the Akron Times is an independent paper.

Mr. POMERENE. I did not answer that question. I think it is a Democratic paper.

Mr. WILLIS. That is my understanding. It is a high-class Democratic paper.

Mr. POMERENE. It is a very high-class paper. I think Democrats and Republicans alike concede that.

Mr. SIMMONS. It was given to me as an independent paper, and I will read what it says, for both Ohio Senators admit it is a high-class paper:

Demands from the majority Senators that debate upon the McCUMBER tariff bill be squashed after but four weeks' consideration must appear somewhat arbitrary, in view of the fact that the majority Members have been over three years producing the bill and that the bulky tome already has more than 2,000 separate amendments.

From the mere standpoint of party strategy it might be a wise thing for the minority to submit and permit the bill to go on its way undisputed.

And undoubtedly it would be if we were taking only a partisan view of it.

It would be a policy of giving the opposition calf rope to hang itself. But the bill threatens the industrial welfare of the Nation too seriously to be tacitly tolerated, and its passage or defeat becomes a question involving much more than mere party advantage or disadvantage.

The tariff question to-day is one that reaches above and below mere partisan politics. It is a question which involves not only the prosperity of our own country but the good will of the world. The present bill is nothing less than criminal in its stupidity.

Mr. President, I ask permission to insert without reading—because I have not had an opportunity to read it, and it is

rather long—an editorial just handed me by the Senator from Ohio [Mr. POMERENE] from the Ohio State Journal, which, I understand from the statement of the Senator from Ohio, criticizes this bill very severely. Does the Senator know of any influences on the part of department stores and importers that might overcome the scruples of this journal and cause it to depart from the course its judgment might dictate with reference to this question?

Mr. POMERENE. Mr. President, I do not think anybody would presume to charge that that paper could be influenced editorially through its advertising columns.

Mr. SIMMONS. I thought not.

The VICE PRESIDENT. Without objection, the editorial will be printed in the RECORD.

The editorial referred to is as follows:

(From the Ohio State Journal of Saturday, June 3, 1922.)

DODGING THE QUESTION.

One of Senator McCUMBER's arguments for the tariff bill is that the many Republican newspapers which oppose that ill-timed, and we trust ill-starred, measure, and the number of them includes nearly all the more important and influential ones, are Democratic newspapers in disguise. Another is that the newspapers are all under department-store influence anyway, from which we gather, not having known it before, that the department stores are supposed to be actively opposing the McCumber-Fordney bill.

These fancies of the hard-pressed Senator are of course no arguments for the enactment of a foolish and harmful law, nor would they be even if they were facts. When a man publicly points out the error of some course you are bent upon, it is no answer at all to say that he is a sneak or an unworthy tool of somebody else, even if that were true. The only question which it is up to you to answer is, Is what he says true? If you dodge that question and begin to abuse him, thoughtful people see at once that you are pretty shaky in your mind about the defensibility of your own position. We have not seen any report of an attempt on Senator McCUMBER's part to prove the incorrectness of the arguments of the newspapers which he accuses of masquerading and subservience.

Mr. SIMMONS. Mr. President, I wish now to read from the St. Louis Globe-Democrat, a Republican paper which at present, I understand, has independent leanings. Heretofore it has been a consistent Republican paper.

All it (protection) should attempt to accomplish—

Says this paper—

is to establish equitable conditions of competition giving the American producer and manufacturer a fair opportunity. When it goes beyond that it operates to throttle commerce and to oppress the American consumers. The present tariff bill, we are convinced, goes far beyond this standard of protection, and in seeking to help industry will inevitably work injury to it. This bill has not been constructed with due regard to the public welfare, and it ought not to be passed in its present form.

Now, I want to read from the Chicago Tribune an editorial that has not heretofore appeared in the RECORD, and it ought to go in the RECORD. This editorial says:

The tariff makers are working on exactly the old logrolling methods which have been operative for decades. One man, desiring a high tariff on a certain commodity, regardless of its effect upon the country as a whole, agrees with another man desiring a high tariff on another commodity, regardless of its effect upon the public, that each will support the other's demands. They do so, the tariff is fixed on these two commodities, and the public interest is ignored.

The result is a tariff of exploitation rather than of protection. If such a bill is passed and becomes law, it will not do the Republican Party any good at the coming election. Each interest which is so advanced may cast a grateful ballot at a coming election, but even so they will be in a minority compared to the mass of voters who get high prices without high wages out of the arrangement.

Without reading, I ask leave to put in an article from the New York Herald.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE IRRATIONAL GLOVE TARIFF.

Senator SMOOT, of the Finance Committee, using the economic sense he possesses in large measure, tried to steer the mad McCumber tariff makers away from the folly which makes their glove schedules an irrational tariff. But they, like Mr. Littauer, thought they knew more than the world's economists and bankers, or, more likely, they didn't care so long as they piled up the duties.

Even if Mr. Littauer's dream of pre-war prices came true, a \$2 specific duty on \$8 was 25 per cent, but a 60 per cent duty on \$8 is \$4.80, or an increase of 140 per cent. And such treatment of American women, newly possessed of the ballot, is nothing less than political as well as economic lunacy.

Mr. SIMMONS. I now ask leave to put in another editorial from the New York Herald, in which the severest language used by any newspaper in referring to this bill is indulged in. I shall not read it, but I desire to have it go in the RECORD at this point to accompany these five or six other editorials.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE HERALD'S TARIFF STAND.

The American Economist, which is the organ of the American Tariff League, is pained by the position of the New York Herald toward the Fordney-McCumber tariff makers. The American Economist thinks that the New York Herald "returns to its first love," free trade, "the faith in which it was established by James Gordon Bennett, the elder,

and maintained by James Gordon Bennett, the younger." And the American Economist sees the New York Herald "as pronouncedly opposed to the protective tariff as it was under the Bennett régime."

What the New York Herald was in respect of political policies, economic principles, or anything else under its former ownerships has nothing to do with its principles and policies under its present ownership. As a matter of fact, the owner of the New York Herald is, always has been, and always expects to be a believer in a sound, rational, workable protective tariff for American industries and American labor.

The New York Herald, reflecting the protective principles and convictions of its owner, is a consistent and steadfast advocate of the American tariff system. But the owner of the New York Herald can not stand for damn-fool protectionism, and the New York Herald will not stand for it.

Mr. SIMMONS. One of these editorials I have just put in the RECORD declares this bill is nothing less than criminal in its stupidity. Another declares that it is political and economic lunacy.

Another characterizes it as foolhardy and harmful, and another, the New York Herald, a Republican and protectionist organ, refers to it as "damn fool protectionism." I dislike to use those ugly words, but those are the descriptive words used in the quotation from these great Republican journals.

That is not all. I want to nail this business, because the Senator from North Dakota has stated the only reason which has been given by any Republican for this revolt of the Republican press of the country against this bill, and I want to nail it effectually before I leave it, to the end that it may clearly and unmistakably appear that this opposition on the part of the Republican press and the Republican business men of the country, who have openly declared against it, is the outcome of a conviction that the thing is not in the interest of the people or in conformity with the Republican theory of protection.

I have here before me the Literary Digest, which has assembled statements and comments in regard to this bill from Republican, independent, and Democratic papers published in different and widely separated sections of the country. An examination of this article will show that the Republican, independent, and nonpartisan papers which have criticized or declared opposition to the measure, according to the Literary Digest, greatly outnumber those given by it as supporting the bill. I take it the papers quoted were selected as papers representative of the parties in the different sections of the country.

I will read from the list only those papers classed as Republican, independent, and nonpartisan, commercial, and agricultural papers which are opposing this bill or severely criticizing it, so that it may appear how utterly ridiculous is the charge of the subsidizing of newspapers. The papers to which I shall refer are all Republican or independent papers, farm and trade journals.

The first journal in opposition or criticism noted by the Literary Digest is the Journal of Commerce, of New York, Republican. The second is the New York Tribune, Republican. The third is the St. Louis Globe-Democrat, a Republican paper also. The fourth is the Syracuse Post Standard, a Republican paper. The fifth is the Boston Transcript, an independent Republican newspaper. The sixth is the Ohio State Journal, from which I have just read, a Republican newspaper, as I understand. The seventh is the Business Farmer, of Mount Clemens, a Michigan agricultural newspaper. The eighth is the Southland Farmer, of Houston, Tex. The ninth is the New York-American Agriculturist. The tenth is the St. Paul Dispatch. The eleventh is the Minnesota Journal. The twelfth is the New York Herald, Republican. The thirteenth is the New York Evening Post, Republican. The fourteenth is the New York Globe, Republican. The fifteenth is the Kansas City Star, independent Republican. The sixteenth is the Springfield Republican. The seventeenth is the Chicago Daily News, independent Republican; and the eighteenth is the Indianapolis News, independent Republican.

It will be seen that with the exception of five or six of those papers they are not great metropolitan journals, but are papers scattered about indiscriminately throughout the country, all Republican, independent, or nonpartisan.

Mr. President, I want now briefly to discuss that part of the speech of the Senator from North Dakota in which he discussed the tariff in connection with the samples he exhibited. For a long time, as the Senator proceeded with his argument, it was difficult for me to ascertain exactly what was his objective.

Finally, in response, I believe it was, to the senior Senator from Alabama, he told us that his main purpose was to show that the great department stores, which he claimed were the chief importers, were making enormous profits out of their importations by reason of the fact that they were both importers and retailers; that they got the high profits which the importer

ordinarily makes, and, added to that, the enormous profits which the retailers of this country are making. That, we finally were assured, was his main objective. Yet, for more than half an hour the Senator stood before the Senate producing sample after sample of imported articles, explaining to the Senate that the invoice price or landed cost of the article was so-and-so, a very small price, and then giving the high retail selling price of the foreign article in the American market, declaring that the spread between those prices was attempted to be covered in his bill by a tariff duty of such a per cent ad valorem, and then he proceeded to discuss the utter inadequacy of that rate of duty to cover this wide spread.

He exhibited to the Senate, by way of illustration, an ordinary straw hat, which he said was an English hat, the invoice or landing cost being 69 cents, as he alleged, and he said that foreign-made hat, which cost 69 cents, sold at retail in the markets of the United States for \$4.50. He pointed out the inadequate insufficiency of the tariff rates in his bill to cover that spread. Such was the argument and such was the statement of the Senator as to practically every article he exhibited. What was his purpose in declaring to the Senate that there was such a spread between the foreign price of the articles and their selling prices in the American market, if it was not to create the impression in the country that that spread was the thing at which the tariff should legitimately be leveled, and that the rates which he had put in his bill instead of being too high or excessive were utterly insufficient to cover that spread?

The Senator did not give the price charged by the American manufacturer for the comparable American product, the retail price of the domestic article. He gave us simply the two figures—the landing cost and the selling price in this market of the foreign article, which was, as we all now know, the retail selling price. When the Senator took his seat, an American citizen who was not familiar with the tariff and the basis on which tariff duties ought to be levied would have assumed that there was an advantage in favor of the foreigner, in the case of the hat, of about \$3.80, which ought to be covered, under the theory of the pending bill, by a rate sufficient to measure that difference.

That was the line of argument and that was the impression which would have been conveyed but for the statement the Senator from North Dakota subsequently made in response to the observations upon his statement and argument by the Senator from Alabama [Mr. UNDERWOOD].

Mr. President, I think the subject ought to be dealt with fairly. I state right now that not an argument made by the Senator on yesterday, drawn from the prices which he gave with respect to the samples he displayed, had anything whatsoever to do with the question of the adequacy or the inadequacy of the rates in the bill, because it is not conceivable that anybody would maintain that a tariff upon an imported article should be sufficiently high to cover the difference between the invoice or manufacturer's price of the foreign article and the price at which that article sells at retail in the American market. The tariff has nothing properly to do with the high retail prices at which a foreign product sells in the American market.

The retail price at the present time, as we all know, of the domestic article or the retail price of the foreign article in our market to-day bears very little comparable relation to the cost of production in either this country or the foreign country in which the competing article is produced. At present, as well as during the war, in many, if not in most instances, the retail price is established and maintained in defiance and in violation of all economic laws, and that profiteering is the element of chief power in them. These retail prices are in many instances, as we know, from 200 to 300 and 400 per cent higher than the manufacturer's or the producer's price.

Take the common article of the Irish potato. That is an agricultural product. When that product leaves the hands of the producer in many instances the barrel of potatoes does not sell for more than 75 cents or \$1. When it reaches the wholesaler it is probably sold by him to the retailer for \$2 or possibly \$2.50 a barrel. When the retailer divides it up and sells it by the peck or the quart, it has advanced in price to five, six, or seven dollars a barrel. So it is with all lines of business in the country. We know it. It is a matter of everyday experience and knowledge that the retail prices are excessive as compared with the original price obtained by the producer, and that at present profiteering is the chief element of weight in arriving at and fixing the price. But we are supposed to be framing a permanent tariff, and it is hoped there will soon be an end to these profiteering practices.

But why, I should like to ask the Senator from North Dakota—and I am sorry he is not in his seat this morning—is

the retailer of the foreign article able to get such a high price in the American market for these foreign products which the Senator displayed? Is it not because, and solely because, the American product sells at an equally high or higher price in this market? If the hat which the Senator displayed cost only 69 cents and was sold in the retail market in this country for \$4.50, undoubtedly it was because the domestic hat of like character and kind was being sold in the retail markets for at least \$4.50.

If the Senator from North Dakota had wanted to be fair in this matter, I think he would not have made a comparison between the producer's price and the retail price in order to find the spread which should be measured by the tariff. What should he have done if he wished to make a fair comparison for the purpose of levying a tariff tax? Mr. President, he should have given the Senate not only the invoice or landing price of the foreign-made hat and of the other foreign-made articles which he exhibited here yesterday but he should have given us the American manufacturer's price for a similar and comparable hat. Those two prices would have been the basis of comparison for the purpose of ascertaining the tariff under the theory under which the bill is framed. And yet the Senate will bear me out when I state that in no instance on yesterday when the Senator from North Dakota was making, as he claimed, a tariff argument, when he was stating to the country the spread which ought to be covered by the tariff, did he undertake to give us what was the American manufacturer's selling price of any one of the articles he displayed. He gave us the foreign invoice price, which is the foreign manufacturer's price with no profit added except the manufacturer's profit, and he ought to have given us at the same time, if he wanted to make a proper comparison, the American manufacturer's selling price with no profit added except the manufacturer's profit. Then we would have had the spread which, according to the theory of this bill, ought to be covered by the tariff duty.

Did the Senator give them? Why did the Senator consume an hour of the time of the Senate in giving us the difference between the foreign invoice landed cost and the retail price at which the foreign products were sold in this market and telling us about the greatness of the spread and the inadequacy of the tariff rates which he is imposing to cover that spread? He knew as well as I know that the proper spread to be covered, according to the theory of the bill, was not the difference between the foreign invoice price and the retail price but the difference between the foreign invoice price and the American manufacturer's price. Why did not the Senator give these figures and facts to us? If the Senator will get those prices upon representative articles and transactions and present them to the Senate, I think it will be easy to show that the duties which he has imposed in this bill not only measure the spread but greatly exceed the spread and allow thereby the manufacturer to advance his present prices without fear of competition from abroad.

I heard a few days ago that this side show was to be staged here. I heard that a squad of appraisers had been organized and were flying about over the country from one port of entry to another port of entry trying to find cases to bolster up the rates in the bill, and that they were bringing in a line of samples which were a little later to be exhibited with dramatic stage effect to the Senate. I supposed, naturally, we were going to have samples of the foreign articles and samples of the domestic articles with which to make comparison, but we did not have any samples of domestic articles; we had only samples of foreign articles. I supposed the Senator from North Dakota was going to undertake to compare the landed cost of the foreign product with the domestic manufacturer's cost price in this country, and that he would have those two prices here at the time he compared the domestic sample with the foreign sample.

Supposing that, I read into the Record the day before yesterday a letter addressed to me by an importer, in which he said that the majority members of the Finance Committee, through the Tariff Commission, had requested him to send them a statement of his profits, and that he had very promptly complied, but that he had suggested that in order to be fair about it they ought also to get the profits of the American manufacturer and wholesaler, to compare his profits with their profits. The letter said that he had received a reply from the Tariff Commission saying that the Finance Committee had only asked them for the importer's profits; that they had not asked for the domestic wholesaler's or the domestic manufacturer's profits. I read that letter to the Senate and called the attention of the chairman of the Finance Committee to it and requested him to have the Tariff Commission ascertain the profits of the American

producer or wholesaler of the articles upon which he had asked the importer's profits. I have not heard about it since, and I do not suppose I will ever hear about it again. Concealment and camouflage are the order of the day on the part of the proponents of the tariff measure.

Now, Mr. President, I stated in the outset that the speech of the Senator from North Dakota had but two objects:

One was to convince the country of the truth of his charge that the opposition to his bill from Republican and independent newspapers was the result of sinister influences upon those newspapers exerted by the importers and the department stores. I think that I have sufficiently exposed that pretense, if, indeed, it needed any further exposure.

The only other purpose of the Senator's argument seemed to be to draw a comparison between the producer's selling price of foreign products and the retail selling price in this country. I think that I have shown and shown conclusively that, so far from that being a tariff argument, by no stretch of the imagination could this spread possibly have anything to do with the laying of tariff taxes. Nobody has ever contended that tariff taxes should be levied on any such basis. I think if anybody ever should contend that tariff taxes should be levied on that basis, he would write himself down as an ass. I suppose the Senator from North Dakota would not think of making such a contention; and while his speech was undoubtedly calculated to leave the impression that he thought that was a spread which could properly be covered by a tariff, nevertheless I do not think he meant to have the Senate believe or to have the country believe that he thought the spread which he disclosed to the Senate—and that was all he did with his samples—was the proper measure of the tariff which should be imposed upon these particular articles in order to protect the American producer.

Mr. President, I regret that I have taken so much time this morning. Unfortunately I had not digested what I desired to say; in fact, I did not come to the Senate expecting to speak at all to-day; I did not expect to speak until after the naval appropriation bill should have been disposed of and the consideration of the tariff bill resumed; but under the advice of some of my colleagues I have ventured to make this speech at this time. I think I owe the Senate an apology for the length of time I have taken and for the rather disconnected and inadequate manner in which I have presented the views which I desired to convey to the Senate and the country.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhulse, its enrolling clerk, announced that the House had passed a bill (H. R. 11939) to amend section 5219 of the Revised Statutes of the United States, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 8785. An act granting the consent of Congress to the Mobridge Bridge Co., of Mobridge, S. Dak., to construct a pontoon bridge across the Missouri River;

H. R. 10330. An act to extend the time for the construction of a bridge across Lake St. Croix at or near the city of Prescott, in the State of Wisconsin;

H. R. 11345. An act authorizing the construction of a bridge across the Allegheny River at or near Freeport, Pa.; and

H. R. 11827. An act granting the consent of Congress to the county courts of Howard and Saline Counties, in the State of Missouri, to construct a bridge across the Missouri River.

PETITIONS AND MEMORIALS.

Mr. CAPPER presented a resolution adopted by the Women's Auxiliary Railway Mail Association, of Wichita, Kans., favoring the use of full steel construction and the best sanitary equipment on all cars in the Railway Postal Service, which was referred to the Committee on Post Offices and Post Roads.

Mr. LADD presented a resolution of the Bismarck (N. Dak.) Rotary Club, favoring irrigation, reclamation, and water-power development in the source stream area of the Missouri-Yellowstone watershed, so as to control the flood menace in the Mississippi Valley, which was referred to the Committee on Irrigation and Reclamation.

Mr. LODGE presented resolutions adopted by the board of aldermen of the city of Chelsea, Mass., favoring the enactment of legislation to punish the perpetrators of lynchings, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by East Boston Post, No. 608, Veterans of Foreign Wars of the United States, pro-

testing against further reduction in the personnel of the Army and Navy, which were referred to the Committee on Military Affairs.

Mr. WILLIS presented the memorial of M. L. Whitis and sundry other citizens of Columbus, Ohio, remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

REPORTS OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. BALL, from the Committee on the District of Columbia, to which was referred the bill (H. R. 6258) to exempt from taxation certain property of the Daughters of the American Revolution in Washington, D. C., reported it without amendment and submitted a report (No. 773) thereon.

He also, from the same committee, to which was referred the bill (S. 2597) to amend an act entitled "An act to provide, in the interest of public health, comfort, morals, and safety, for the discontinuance of the use as dwellings of buildings situated in the alleys of the District of Columbia," approved September 25, 1914; reported it with an amendment and submitted a report (No. 774) thereon.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED.

Mr. SUTHERLAND, from the Committee on Enrolled Bills, reported that on June 15, 1922, they presented to the President of the United States the following enrolled bills and joint resolutions:

S. 2664. An act for the relief of Jesse Goodin;

S. 2666. An act for the relief of Ed Thomas and Pauline Thomas;

S. J. Res. 7. Joint resolution authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States; and

S. J. Res. 204. Joint resolution to authorize the loan by the Secretary of War to the commander in chief of the United Confederate Veterans of cots for the use of the members of the United Confederate Veterans during the sessions of the national encampment of the United Confederate Veterans at Richmond, Va., from June 19 to 22, 1922.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 3710) for the relief of the dependent widow and children of Herman Mednick, deceased; to the Committee on Claims.

A bill (S. 3711) providing for the enlargement, extension, remodeling, and improvement of the Federal building located at the corner of Washington and Johnson Streets, Borough of Brooklyn, New York, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. SPENCER:

A bill (S. 3712) granting an increase of pension to J. K. Taylor; to the Committee on Pensions.

By Mr. ERNST:

A bill (S. 3713) to establish a bureau of prohibition, and for other purposes; to the Committee on the Judiciary.

HOUSE BILL REFERRED.

The bill (H. R. 11939) to amend section 5219 of the Revised Statutes of the United States was read twice by its title and referred to the Committee on Banking and Currency.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11228) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1923, and for other purposes.

The reading of the bill was resumed and continued to line 9 on page 3.

The PRESIDING OFFICER (Mr. WILLIS in the chair). In accordance with the unanimous-consent agreement heretofore made the Secretary will state the first amendment of the Committee on Appropriations.

Mr. POMERENE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Borah	Dillingham	Heflin	Ladd
Bursum	Edge	Hitchcock	La Follette
Cameron	Ernst	Jones, N. Mex.	Lenroot
Capper	Gerry	Jones, Wash.	Lodge
Caraway	Glass	Kellogg	McCormick
Curtis	Harrell	Kendrick	McCumber
Dial	Harris	King	McKinley

McNary
Nelson
Newberry
Nicholson
Norbeck
Norris
Oddie

Overman
Pepper
Phipps
Pittman
Poindexter
Pomerene
Ransdell

Sheppard
Simmons
Smoot
Sterling
Sutherland
Swanson
Townsend

Underwood
Wadsworth
Walsh, Mass.
Walsh, Mont.
Watson, Ind.
Willis

Mr. CURTIS. I desire to announce that the Senator from Wyoming [Mr. WARREN] is absent on account of illness in his family.

Mr. HARRIS. I wish to announce that my colleague [Mr. WATSON of Georgia] is absent on account of illness. I ask that this announcement may stand for the day.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. A quorum is present. The Secretary will state the first amendment reported by the Committee on Appropriations.

Mr. KING. Mr. President, may I inquire of the Senator from Washington whether there have been any reductions in the number of civilian employees in the office of the Secretary of the Navy or whether this bill carries substantially the same appropriation for civilian employees in the Navy Department as in the past?

Mr. POINDEXTER. There have been a great many reductions in the number of civilian employees in the service, particularly in the navy yards, but I think there have been practically no reductions in the office of the Secretary.

Mr. KING. May I inquire whether there have been any reductions in the number of civilian employees in the clerical force in Washington; and if not, why not?

Mr. POINDEXTER. I will give the Senator a statement showing the number of civilian employees in the Navy Department from June, 1916, down to the present time. On June 30, 1916, there were 787 civilian employees in the department; on December 31, 1918, as a result of the war, that number had been increased to 6,388; on February 28, 1922, the number had been reduced to 1,762; on April 30, 1922, the number was 768, and practically remains at that figure at the present time.

Mr. KING. Then there was an increase in the number during the year?

Mr. POINDEXTER. There was an increase of six civilian employees on April 30, 1922. What the number is at the immediate moment I can not state.

Mr. KING. Mr. President, the number is not so very large—

Mr. POINDEXTER. I should like to say in that connection, by way of further explanation to the Senator, with regard to the numbers that I have given, that of the number of 6,388 civilian employees in the department on December 31, 1918, approximately 4,000 were naval reservists employed on work ordinarily performed by civilian employees.

Mr. KING. Mr. President, I am not quite clear from the Senator's statement as to the situation respecting civilian employees. I notice in the next paragraph a provision headed "Temporary employees, Navy Department," and an appropriation is carried of \$58,340. Running through the bill there will be found upon every few pages appropriations for "temporary employees" in various bureaus or agencies of the Navy Department. One would suppose that the period for "temporary employees" had ended, and that there would be with the bringing of the Navy down to what might be denominated a peace status a material reduction in the number of employees and a peace status number of civilian employees. May I inquire of the Senator why there is this appropriation for temporary employees in the Navy Department?

Mr. POINDEXTER. The purpose of that was to avoid the establishment on a permanent basis of these extra employees who were required by reason of the increase of the Navy and the increase of the naval activities during and following the war. It is much more economical to have them on a temporary basis than upon a permanent basis. It is to be hoped and expected that as we return to a reduced Naval Establishment many, if not all, of these employees can be dispensed with altogether. The Senator will notice that it is a House appropriation.

Mr. KING. Yes.

Mr. POINDEXTER. We had the benefit of a very determined effort on the part of the members of the House committee having charge of this bill to reduce the expenditures in every possible way.

Mr. KING. It will be perceived that in the particular item which has just been read by the Secretary \$72,000 is appropriated for the compensation of the employees who are immediately under the control and jurisdiction of the Secretary of the Navy—employees who might be denominated his immediate employees—but that item is followed by an appropriation of nearly as much, \$58,340, for temporary employees in the same

office. I recall that the appropriation bill a year ago introduced the same policy. It seems to me that the number of temporary employees is too great, and the amount appropriated is too great. We do not know the number, except that there is a limitation as to the amount which may be paid to any particular employee.

When we return to the bill I shall move to strike out the item of \$58,340. I can not do it now, under the unanimous-consent rule that we shall consider only amendments which have been offered by the Senate committee.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The first amendment of the Committee on Appropriations was, under the subhead "Contingent expenses, Navy Department," on page 3, line 9, after the word "offices," to strike out "\$70,000" and insert "\$85,000," so as to read:

For stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase and exchange of motor trucks or motor delivery wagons; maintenance, repair, and operation of motor trucks or motor delivery wagons, and one motor-propelled passenger-carrying vehicle, to be used only for official purposes; garage rent; street car fares not exceeding \$500; freight, expressage, postage, typewriters, and computing machines; necessary traveling expenses for collection of records not exceeding \$100; and other absolutely necessary expenses of the Navy Department and its various bureaus and offices, \$85,000.

Mr. KING. Mr. President, I should like to inquire of the Senator the reason for that increase. The House doubtless made a thorough investigation, and in view of the very liberal appropriations which are carried in the bill for overhead, I can not understand the reason for the increase in the item which has just been read by the Secretary.

Mr. POINDEXTER. There is no increase in the appropriation carried in the bill on that account. The \$15,000 added at that point is deducted on page 40 of the bill, line 23. It is occasioned by the transfer of certain appropriations hitherto carried under different heads, but really covering employees in the Navy Department, so that the appropriation will be made directly for the actual purpose for which it is used.

Mr. KING. Mr. President, this bill contains very liberal appropriations for every bureau and every agency of the Government; and yet we find here this item of \$85,000 for contingent expenses, notwithstanding, as I stated, the very liberal appropriations which are carried in the bill and which would seem to embrace every conceivable expenditure that might be made by the Navy Department.

I think those who had expected material reductions in the Navy bill will experience some disappointment when they are advised of the fact that the bill carries substantially \$300,000,000. I am not sure as to the amount of obligations which will have to be met later on that are created by the bill, or how many executory contracts are authorized to be entered into which will pledge the Government to larger appropriations in the future; but the bill itself calls for direct appropriations of approximately \$300,000,000, and in addition it authorizes, I think, the expenditure of unexpended balances which heretofore have been authorized and which aggregate a good many millions of dollars.

Anybody who reads this bill very carefully will be impressed with the fact that the overhead expenses are enormous. I do not know whether they are greater proportionately than those in the Army or not; but when you examine the bill, the various items, the provisions for civilians and for the multitude of activities herein provided for, the impression will grow and continue to grow that we are paying very dearly for our whistle. I do not recall just exactly the cost of the Navy per annum prior to 1916, but my recollection is that it was around \$100,000,000 a year, and from that down. Notwithstanding the work of the Washington conference, which was hailed by some of our friends throughout the land as the greatest achievement of all time and as the great panacea for all the ills of the world and as a method to relieve the American people of the burdens of taxation, we are called upon to pay approximately \$300,000,000 for the maintenance of the Navy for the coming year. The Army bill carries an appropriation which, as I recall, exceeds this; so that for the Army and Navy of this Republic in times of peace—a Republic which theoretically is pledged to peace throughout the world—we are to burden the American people with between six and seven hundred million dollars for the coming year.

Business is depressed; the people everywhere are groaning beneath the heavy burdens of taxation; and it has been averred that the Army and the Navy were to be the avenues through which we might pass to escape the oppressive burdens of taxation which were imposed upon the American people. Now we are confronted with the fact that the American people are to

be taxed approximately \$650,000,000 to \$700,000,000 for the coming year, in time of peace, although before the war our appropriations for all purposes were approximately \$1,000,000,000.

Our Republican friends who have control of Congress, who are shaping the legislation that is enacted, are not redeeming the promises which they made to the people to relieve them from these oppressive burdens. I think this bill carries at least fifty to seventy-five million dollars more than it ought to carry, and that by adequate pruning and by a proper consideration of the imperative needs of the Navy we could have subtracted from this bill at least fifty to seventy-five million dollars and have given to the American people an adequate and up-to-date Navy.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Printing and binding," on page 3, after line 18, to insert:

That portion of the appropriation for the Government Printing Office for the fiscal year 1922 which may be necessary to execute printing and binding for the Navy Department under orders placed with the Public Printer during the fiscal year 1922, within the total allotment to the Navy Department for that fiscal year, is hereby reappropriated and made available during the fiscal year 1923 for that purpose.

Mr. KING. Mr. President, I rise to inquire of the Senator if under existing law there was no obligation upon the part of the Government Printing Office, or the custodian of the money, or the agency to which it was appropriated, to cover into the Treasury of the United States any unexpended balance?

Mr. POINDEXTER. There would not be any obligation to cover it in at least until the end of the fiscal year; and the purpose is to make the money which has already been appropriated available to do the work which has accumulated for the current fiscal year, not the work that is to be current in the fiscal year covered by this bill. This reappropriation of the money is to make it available for the work for which it was originally appropriated, but which has not been done, due to causes of various kinds in the Government Printing Office which made them behind in the current work.

Mr. KING. May I inquire of the Senator the amount that will be unexpended at the end of the fiscal year?

Mr. POINDEXTER. In the neighborhood of \$100,000.

Mr. KING. Is any appropriation carried in the bill, other than this reappropriation, for the same work which was to be performed by this appropriation?

Mr. POINDEXTER. No; this is the only appropriation for that work. There is an appropriation in the bill for current work for the year 1923, but not for the work that is on hand now.

Mr. KING. Then there will be no method, except by going to the books and tracing the various appropriation bills and the items, of determining just what was expended for printing for the fiscal year 1922 and for the fiscal year 1923?

Mr. POINDEXTER. It could be very easily determined by an examination of the accounts of the Government Printing Office showing what work was done with this money, thereby determining what work for the year 1922 was paid for out of this appropriation, and what work was done for the year 1923 which would be paid for out of the appropriation for that year.

Mr. KING. Mr. President, I know that the habit of carrying over appropriations has been persisted in until it almost has the force of law. It would be far better, it seems to me, not only for economy but for accuracy, and in order to determine just what the expenditures are from year to year, if at the end of a fiscal year any amount which remains unappropriated should be covered into the Treasury, and then, if additional money is required to complete some incomplete work, application should be made in the regular way and the appropriation obtained in the regular way. I think the present condition makes for extravagance and waste, and for a sort of lax and confused method of performing work.

SALE OF LIQUORS ON AMERICAN SHIPS.

Mr. CARAWAY. Mr. President, I shall interrupt the consideration of the pending bill just a minute. I notice that Mr. Lasker, of the Shipping Board, says you can not run a ship without liquor. I should like to remind him that you can not run a blind tiger without liquor, either. People have not been very successful in running saloons without liquor. You could not very well run a gambling joint without it. There are any number of institutions we might name which thrive upon the sale of liquor. However, I have never before known an officer of the United States to undertake to defend the violation of the law on the ground of necessity.

Of course, Mr. Lasker does not pretend to be a lawyer; he is an expert on publicity, and nothing else, Lasker publicity; but there is no lawyer, however he may have been limited in his practice—the Senator from North Dakota intimated yesterday that we were running a justice of the peace court here in the Senate Chamber—there is no lawyer who has practiced law even in that high court who would pretend that they can sell whisky or wine or intoxicating liquors of any kind on board American ships anywhere without violating the law. Any lawyer who had waived his examination and been admitted to the bar who would assert that in any decent company would be laughed out of court. It is a question of determining to sell whisky though the law says it shall not be sold.

What pains me more is that Mr. Wayne B. Wheeler, who is presumed to sit here as the guardian of the prohibition forces of this country, who, I have understood, has claimed that all prohibition legislation has originated in his office, should connive at this open, flagrant violation of the law. He says that the man who called attention to the violation of the law was trying to discredit prohibition. That may be good logic for Wayne B. Wheeler, but no one else will accept it. Whenever the time comes that the man who calls attention to a violation of the law is the man who encourages violation of the law, of course that ends law enforcement, and when Mr. Wheeler made that statement he was not any more candid than in the statement he made to me about the judges' bill, which he would not affirm over his own signature. I voted for prohibition. I do not think we have always gotten out of it the good effects the legislation ought to bring. I have sometimes been disappointed in its effect. People have not always accepted the view I entertained, and all communities have not looked with favor upon the law. But I have never before known a law-enforcing officer to apologize for not enforcing the law, and expect people to commend him for it.

The Attorney General says he will hold to the opinion rendered by former Assistant Attorney General Frierson, a Democrat, until the courts shall decree otherwise. Mr. Lasker says he will hold to the opinion of a lawyer, whose name is so much like beer that I can not pronounce it, until the courts hold otherwise. Mr. Haynes says that between the two he is not going to do anything, and Mr. Wheeler, the guardian of prohibition, and who is paid for that, says that any man who calls attention to the sale of liquor is trying to discredit prohibition.

Between them and among them they are countenancing an open, flagrant, daily violation of the law. Whether a man be for prohibition or against it, he ought to be for law enforcement, and when the time has come that the highest officials of the land—the Attorney General and the chairman of the Shipping Board, and, aside from these, the accredited agent of all the temperance people of America—shall condone the sale of liquor, open and flagrant, and apologize, one saying you can not run a ship without it, another saying that somebody else said they can do it legally, and the man who is charged with the enforcement says that as between the two opinions he can not do anything, I am curious to know what the temperance people are going to do.

I know, and every lawyer knows, that wherever the American flag flies over an American ship it is American territory, and a violation of the law of America upon that ship is a violation of the law as much as if it took place here under the shadow of the dome of this Capitol. It is childish, it is foolish, it is dishonest for anyone to make any other contention.

I do not believe the Attorney General is going to try to enforce the law against the sale of liquor, although he is the chief law officer of this Nation, and yet he says:

I understand that a former Assistant Attorney General has ruled it is a violation of the law, and I will acquiesce in his decision, but do nothing until somebody else gets the matter to the courts and ascertains what the courts will say—

Which means no enforcement, and everybody might as well understand it. All the millions of women through the States who have been praying for prohibition, who have been working for prohibition, who have believed that it meant the salvation of the race, may as well realize now as later that there is to be no enforcement of prohibition as long as the present Attorney General is at the head of the law-enforcing branch of the Government. I do not care whether he was ever in a court or not—and I understand he never was in a court to try a case—I know a man can not hang around a justice of the peace court as many years as he has without knowing that it is a violation of the law to sell whisky on an American ship, when it is a violation of the law to sell whisky in the District of Columbia under our national amendment and prohibition law.

I presume that when our friends on the other side bring in a ship subsidy bill one item in it will be for so many hundred thousand or millions of dollars for the purchase of whisky to

be sold on the subsidized American ships, because Mr. Lasker says you can not run them without it, that it would be suicide to run a ship without selling whisky on it. Therefore, if you are going to tax the people to run the ships be candid and say that so much is for the subsidy and so much for keeping the liquor stock always replenished.

I can see my friend, the junior Senator from Ohio [Mr. WILLIS], who has been so ardently fighting in the ranks of prohibition, voting enthusiastically for a ship subsidy, with a certain knowledge that he is voting to license as many saloons as we have ships. If he votes for a ship subsidy every man and woman in Ohio will know that he voted to license a saloon, and every other man who votes for a subsidy will vote to license saloons. Then, if they want to be fair, if the rich, who are able to travel on ships, are to be permitted to buy whisky, why not legalize saloons here, where the workman can always get his drink? Let us not play favorites. Let us proclaim to the world that we were hypocrites—as some people have suspected—and that we believe in selling whisky, but that we want to do it under a pretense that we are subsidizing ships. That is all it is.

Wayne B. Wheeler, for whom I have had some respect heretofore, and have not a bit now, after reading the opinion that he is alleged to have given out, that he thinks that one who calls attention to the violation of the law is fighting prohibition, and his other pretense that we need more legislation. He wants a 25-mile limit instead of a 3-mile limit. If you can legally cross the 3-mile limit with a cargo of liquor, you could cross 25 miles, and the thirsty could hold their breath until they got out of the 25-mile limit. It is such a cheap subterfuge, such a patent endeavor to accept the money of the prohibitionists of this country and tolerate the open, notorious violation of the law.

I hope—I will not say hope, because that implies expectation, and I have not any—but in the interest of decency I wish some of you gentlemen close to the Attorney General would ask him to enforce one law. I will not be hard on him and ask him to enforce more, because I do not think he would do it, but he ought to enforce this one law, and the Senator from Ohio [Mr. WILLIS], who has always rushed to the defense of the Attorney General when anybody criticized him, ought to go to him and say, "Mr. Attorney General, in the interest of common decency now let us enforce this law." I appeal to the Senator from Ohio, as soon as he can get some one to take the chair, to call on his friend from Ohio to put an end to this shameful traffic in liquor.

The Senator from Ohio was a lecturer for the Anti-Saloon League, I understand, and hails from the same State from which come Mr. Wheeler and the Attorney General, and clear out into Arkansas we look to that trio to keep us dry. I have no kind of influence with any of them, except the Senator from Ohio [Mr. WILLIS], and I am appealing to him to urge upon Mr. Wheeler and the Attorney General to have this one law enforced.

However light this may seem to some people, I know that there are millions of people in this country who look upon the violation of this law with more disfavor than upon the violation of any other law on the statute books. It is an insult to them. It is a disappointment to them. It is a shameful violation of the law to permit this open, flagrant running of saloons under the guise of running ships. I hope that before there is brought before the Congress for its consideration a ship subsidy bill these men will be dissuaded from asking us to vote away \$100,000,000 a year to enable people to run saloons. I use the word "hope" as applying to my friend the Senator from Ohio, in whom I have confidence, whom I know to be a good man, whom I know to be a sincere man, and whom I know to be influential with these two gentlemen whose names I have mentioned, and I believe he will have them stop this outrageous violation of the law.

Mr. KING. Mr. President, the Senator from Arkansas has called attention to an agency of the Government which has been the subject of criticism almost from the hour of its creation. In my opinion it has merited much of the criticism leveled against it, and its present policies have not tended to blunt the sharp edge of public criticism. No Government agency has been more extravagant and inefficient. Its officials in the past and those who now control it seem indifferent to public censure. If there were any hope of reforms or improvement, there would be a disposition to cover the past with a mantle of charity. There is much advertisement and publicity and promise upon the part of those who direct the Shipping Board and the Emergency Fleet Corporation, but there are no achievements and no satisfactory developments.

And now Mr. Lasker and others connected with this corporation are engaged in an intensive and extensive drive to secure

a ship subsidy. Some of these officials are carrying on a vigorous propaganda to force public opinion and to put through the bill formulated by Mr. Lasker and his aids and subordinates.

I had supposed that when Congress created boards and commissions and Federal positions and executive agencies it was the duty of the persons selected for service therein to execute the law, to perform the duties defined by statute, and to not spend their time as crusaders and propagandists in support of some plan to extend their authority or some policy which the administration desired to force through the National Congress.

President Harding has the right to recommend to Congress the passage of a subsidy bill. That is his business. I think his policy is unwise, and I shall oppose it. But it is no part of the duty of executive employees to spend their time and efforts as missionaries to carry forward Mr. Harding's plans. Mr. Lasker and the members of the board and other agencies of the Government should devote their energies to the discharge of their duties; their time ought to be devoted to the execution of the law and not to carrying on propaganda in favor of executive policies. If they so conduct themselves, I think they ought to be called to account; perhaps their salaries ought to be cut off. They might then give their attention to their duties, instead of engaging in propaganda and spending their time advocating policies which will increase their authority and extend the functions and powers of executive agencies.

I think it has become a public scandal the manner in which some executive officials spend their time in writing, in crusading, in engaging in various activities throughout the country to drive through policies which some executive department or agency desires and which will increase their authority, augment their power, and multiply the number of Federal employees. Mr. Lasker is now engaged in the pleasing task of writing articles in favor of a ship subsidy, and we are told that others connected with the Shipping Board are giving some of their time to the task of converting the American people to the beauties of a ship subsidy. Who appointed them and paid them to carry on a propaganda in favor of a policy to which a large number of the American people are opposed? Mr. Lasker was not appointed to the position which he occupies in order to be a missionary in favor of a ship-subsidy scheme which will further tax the American people. I respectfully submit that he is subject to criticism because of his partisan efforts and persistent zeal to secure a ship subsidy of millions of dollars annually.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

Mr. KING. I yield.

Mr. CARAWAY. If this, to me, so absurd ruling is correct that a ship goes beyond the law and the protection of the law when it goes beyond the 3-mile limit, what is there to indicate that an American ship is American territory at all? If they can violate the liquor law that way, could they not cut the captain's throat and there be no law to punish them?

Mr. KING. The Senator from Arkansas is an able lawyer, and I think he can answer that question perhaps better than I can. I suppose that one of the evidences that it is an American ship is that the Stars and Stripes fly from the masthead.

Mr. CARAWAY. But if the one law can be ignored as soon as they get beyond the 3-mile limit does any other law follow the ship?

Mr. KING. The question of the Senator answers itself. Obviously not. I agree with the Senator that the law should be enforced. I believed the eighteenth amendment to be unwise. I thought it was an infringement upon the rights of the States, that it interfered with their sovereign powers, and would prove a dangerous precedent which would eventually lead to the destruction of the police powers of the States; but it has become a part of the organic law of the Republic and we ought to enforce it. Those who violate the Volstead Act or other laws passed pursuant to the eighteenth amendment should be punished as the courts punish those who violate other laws of the land.

Mr. CARAWAY. The thing I was inquiring about, because I have a great deal of admiration for the legal learning of my friend the Senator from Utah, is if this law will not follow the ship and the flag, no other law can do so, and anybody could seize one of our ships outside the 3-mile limit and plunder us of every dollar's worth of goods. There would be no law to punish them, because the ship ceases to be American territory when it gets beyond the 3-mile limit. It is so absurd that the very quarrel we had with Germany would reflect upon us, because she never came within the 3-mile limit to sink any of our ships. She waited until they got outside and then sunk them. Now, the question of the law being enforced is raised in this way, and there is no law to protect the American and

to prevent the violation of American law on an American ship when it is beyond the 3-mile limit. It is so absolutely absurd that it ought to shock everybody.

Mr. KING. I am a little surprised to learn that Mr. Wheeler, to whom the Senator has referred, should entertain the views which the Senator expresses, because I have a rather indistinct recollection that Mr. Wheeler or others representing the Anti-Saloon League some time ago insisted that we enact a law which would prohibit the sale of intoxicating liquors in China by Americans.

Mr. CARAWAY. Why, of course.

Mr. KING. They wanted the laws of the United States to extend to China and other countries if Americans happened to be there. How they could advocate that policy and yet advocate the vending of liquors upon American ships is something I can not quite understand.

Mr. CARAWAY. I want to get another opinion from the Senator from Utah. I was shown a statement issued by Mr. Wheeler a while ago by the Representative from Pennsylvania, Mr. KELLY, in which Wheeler said he wants the law amended so that we shall have a 25-mile limit instead of a 3-mile limit. Can the Senator see any virtue in that? If they can legally cross the 3-mile limit with a floating saloon, they could cross the 25-mile limit as well, could they not?

Mr. KING. I think if a man wants to drink liquor or a ship wants to sell liquor the distance between the 3-mile limit and the 25-mile limit will quickly be covered.

Mr. CARAWAY. And where does the efficacy come in? If the 3-mile limit has no legal effect, what effect would the 25-mile limit have? Does the law depend upon the number of miles?

Mr. WALSH of Massachusetts. Perhaps it would enable them to secure a better price.

Mr. CARAWAY. They would be able to charge a higher price when they got out beyond the 25-mile limit.

Mr. KING. It may be the purpose to increase the speed of the ships after they cross the 3-mile limit in order to reach the 25-mile limit.

Mr. CARAWAY. And come in more slowly.

Mr. KING. Yes.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11228) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1923, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 3.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment of the Committee on Appropriations was, on page 6, after line 12, to strike out:

EXPERIMENTAL AND RESEARCH LABORATORY.

For laboratory and research work and other necessary work of the experimental and research laboratory for the benefit of the naval service, as authorized in the naval appropriation act approved August 29, 1916, including the construction of temporary test houses, additions to equipment, the operation of a laboratory, maintenance of buildings and grounds, and the employment of scientific civilian assistants as may become necessary, to be expended under the direction of the Secretary of the Navy, \$100,000: *Provided*, That the sum to be paid out of this appropriation for technical, drafting, clerical, and messenger service shall not exceed \$25,000.

Mr. WALSH of Montana. Mr. President, I should like to have some information from the Senator in charge of the bill with reference to this amendment. It is apparently intended to eliminate the experimental research laboratory.

Mr. POINDEXTER. I was unable to hear the Senator on account of the confusion in the Chamber.

The PRESIDING OFFICER. The Senate will be in order.

Mr. WALSH of Montana. I inquire of the Senator in charge of the bill if he will not make some explanation of the item. It is apparently intended to eliminate the experimental and research laboratory. That feature of our Naval Establishment, it will be recalled, was inaugurated by virtue of the act of August 29, 1916, upon, as my recollection is, the suggestion and earnest advocacy of Mr. Edison, who felt that the Navy ought to have the benefit of whatever inventive genius there is in the country. I supposed this was a very general and popular feature of our Naval Establishment. I should like to know what impelled the committee to take this course.

Mr. POINDEXTER. I think, so far as its being popular is concerned, very little is known about the laboratory. I doubt very much whether anybody knows what it consists of or what

it is doing. As a matter of fact, it is a group of more or less expensive buildings at a place called Bellevue, in the District of Columbia, on the shores of the Potomac River. There is nothing going on there at all except construction work on the buildings. There seems to be little or no equipment in the buildings. The appropriation of \$100,000 carried in the bill could not possibly result in any very great amount of scientific work being done. It looked to the committee as though it would be throwing \$100,000 away. It does not amount to anything more than the employment of a lot of supernumeraries connected with the laboratory without accomplishing any result.

I am in entire accord with the Senator from Montana, if I understood him correctly, as to the desirability of promoting scientific study as to naval equipment, naval appliances, and machinery.

I call the Senator's attention to the fact that on page 26 the bill carries an appropriation of \$200,000 for an engineering experiment station at the United States Naval Academy, Annapolis, Md. That experiment station is in operation. It has been in operation for some years. The committee felt that scientific experiments ought to be carried on there and that that station should be properly supported, rather than waste a portion of our money on a large, expensive embryo establishment at Bellevue. That establishment is really an outgrowth of the war or of preparation for the war. We are confronted in this case, as we are in many other cases, with the question of getting back to normal conditions, on the one hand, or, on the other hand, of going on with more or less extravagant and exaggerated activities which never would have been established but for the war.

Mr. WALSH of Montana. Mr. President, I do not think the items to which the Senator has called our attention, for the continuance of the experiment station at the Naval Academy, meets the conditions for which the experimental and research laboratory was established. The experiment station at the academy, as a matter of course, is conducted by the officers of the Navy. About the time that the war broke out, or prior thereto, a large number of inventions were offered to the Navy by inventors throughout the country. Most of them were rejected, and in all probability deservedly so, and yet our experience has disclosed that the naval officers do not know all about those things, and frequently inventions are made by people outside of both the Army and the Navy which prove invaluable in the course of time. I think we have had some rather sad experiences about the rejection of inventions of American inventors which were afterwards adopted by foreign countries.

There was a general opinion prevailing that there was a prejudice existing in the Navy Department against inventions which came from civilians. Apparently Mr. Edison shared the suspicion that the civilian inventor was not accorded the consideration to which he was entitled. No doubt Congress believed as much and made provision for the establishment of this experimental and research laboratory, where inventions which seemed to give some promise might, as I understood it, be tried out. In that connection the Naval Consulting Board was established, Mr. Edison, my recollection is, acting as chairman of the board. That seems to have gone by the board in this appropriation bill also, for the next amendment in the bill disposes of the appropriation for that purpose. My attention is called to this, Mr. President, by a very distinguished engineer, formerly of my State but now residing in New York. I send to the desk and ask that the Secretary may read a letter which I have received from him.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The reading clerk read as follows:

NAVAL CONSULTING BOARD OF THE UNITED STATES,
New York, June 14, 1922.

Hon. T. J. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am writing you this letter as a member and vice chairman of the Naval Consulting Board of the United States, which organization during the war realized in attempting to carry on its work to the best advantage the lack of an experimental laboratory for Navy use, and the board, through its chairman, Mr. Edison, was instrumental in securing an appropriation from Congress for the building and maintenance of the laboratory. An appropriation of \$100,000 for operating the laboratory located on the Potomac River near Washington was also made, and likewise an item of \$4,000 to defray the expenses of the Naval Consulting Board.

I am in receipt of a letter from Rear Admiral W. Strother Smith, in which he states that the Senate has cut out the item of \$100,000 for operating the laboratory, and also the item of \$4,000 for the Naval Consulting Board, including the Naval Consulting Board clerk in the office at Washington.

It is my judgment that each of the above sums of money is necessary for the purpose for which it was appropriated, and I trust that you will

be willing to use your influence in the Senate to have these two items put back on the bill. I can assure you that we shall appreciate your efforts in this direction to the utmost.

I am sending a similar letter to Senator MYERS.

With kindest regards, I am, as always,

Yours very truly,

B. B. THAYER.

Mr. WALSH of Montana. Mr. President, I think it was understood at the time that the establishment of such research work designed to afford to civilian inventors an opportunity to have their inventions tried out was never in very high favor with the officers of the Navy, and I suppose that that prejudice is to a very large degree responsible for the failure to realize the expectations which were entertained concerning the development of this feature of the Naval Establishment. The Senator in charge of the bill advises us that nothing has ever been accomplished. Perhaps nothing was to be expected when the administration was left in the hands of people who were unfriendly to the enterprise from the start.

I have no interest in the matter except that I want to call attention to the fact that this promising feature of the Naval Establishment which was inaugurated in the interests of civilian inventors, so that the Navy could get the benefit of whatever inventive genius there might be outside of the officers of the Navy themselves, goes by the board and is not going to be supported any more.

Mr. NEWBERRY. Mr. President, perhaps it might throw a little light on the subject if I were to read an excerpt from the statement of the Chief of the Bureau of Steam Engineering. The laboratory has not as yet been entirely completed. When properly equipped, possibly it might do a great deal of useful work and be placed in the category of desirable public activities; but the Chief of the Bureau of Steam Engineering, in his testimony before the House committee, when asked how the work was being done at present, said:

The sort of work that we expect will be done at the laboratory is now being undertaken at the Washington Navy Yard and by the Bureau of Standards.

The amount of money for which request was made would be used mainly to create a new staff of experts and to pay the wages of those employed to assist in the work. No doubt the activities of such a laboratory when properly equipped would be very useful to the Navy, but in the view of the committee it is not absolutely necessary at this time.

Mr. WALSH of Montana. Will the Senator advise us exactly what has been done in the laboratory heretofore?

Mr. NEWBERRY. As I have stated, the laboratory is not finished, and nothing has been done as yet.

Mr. WALSH of Montana. How much money has been spent upon it?

Mr. NEWBERRY. I think about a million and a half dollars have been spent upon it; but I am not certain as to the amount.

Mr. WALSH of Montana. A million and a half dollars have been spent upon it. We have entered upon this enterprise, have spent a million and a half dollars on it, have never got anywhere on it, and now we are going to abandon it?

Mr. NEWBERRY. I think the laboratory has not as yet been equipped or even finished. I am corrected in my statement in regard to the expenditures, which, I am now informed, have been \$1,200,000.

Mr. WALSH of Montana. The situation is, then, that we entered upon the plan and system of establishing a laboratory in which could be tested out inventions of civil inventors which were supposed to be of some value in connection with naval operations. Having entered upon that plan, we spent \$1,200,000, but the laboratory has not yet been completed; the system has never been tried out; and we now propose to abandon it and to allow the civilian inventors to take their chances so far as devices of use to the Navy are concerned.

Mr. POINDEXTER. Just a word, if the Senator will permit me. The appropriation contained in the House bill makes no change whatever in that respect. If this laboratory is established and maintained, there is nothing proposed that would change the control of it; it would still remain under the Navy Department, under naval officers, and the same attention would be given to civilian inventors and their inventions without this appropriation that would be given with it. There would not be any change whatever in that respect. A great many experiments are being carried on by the Navy Department, particularly at the navy yard at Philadelphia, as to new methods of the use of fuel, in which a great deal of scientific progress has been made, involving a great saving of money to the Navy by reducing the amount of fuel which is consumed.

I have received the same complaints, and I have had the same feeling to which the Senator from Montana [Mr. WALSH]

has referred about the apathy and sometimes the apparent hostility of naval officers toward the inventions that are submitted to them; but I was merely calling the attention of the Senator to the fact that that situation would not be involved or changed in any way at all by the appropriation.

Mr. WALSH of Montana. Mr. President, the Senator from Washington means, of course, that the naval officers will be in control of the laboratory to be constructed, and that civilian inventors will be subject to exactly the same depressing influences; but my understanding is that the naval consulting board has a persuasive voice in connection with the operations of the research laboratory.

Mr. POINDEXTER. I think the Senator is mistaken about that. I do not think the naval consulting board has any authority over the laboratory at all under the law. Furthermore, the naval consulting board did not accomplish a great deal. I have known several members of the naval consulting board, some of whom were men of great distinction as practical inventors and highly scientific. They were very badly treated by the majority of the naval consulting board. It seemed to resolve itself into factions and quarrels among its members, and I thought a great deal of injustice was done by the majority of the naval consulting board to some men on the board who, as was proved by subsequent events, had their criticisms and suggestions been adopted, would have been of immense value to the Navy. But, so far as the practical results of the activities of the naval consulting board are concerned, I think the Senator from Montana would have some difficulty in pointing them out.

Mr. WALSH of Montana. Mr. President, I do not intend to enter upon any defense of the Naval Consulting Board, but my understanding was that the Naval Consulting Board was not supposed to know very much about the operation of ships or, perhaps, even about the construction of ships, nor about the general activities of the Navy. I associated the Naval Consulting Board with the movement to establish a research laboratory in the interest of the civilian inventors, and that the two appropriations go together here and that they fall together has confirmed me in the belief that the two are associated. So I imagine very likely that the civilian inventor whose invention went into the research laboratory had some kind of a proper consideration in that the laboratory was, in some way at least, under the control or supervision of the Naval Consulting Board, consisting of civilians.

Mr. McCORMICK. Mr. President, will the Senator allow me to interrupt him in order to ask a question of the Senator from Montana or the Senator from Washington?

Mr. WALSH of Montana. I yield.

Mr. McCORMICK. Will one or the other of the two Senators tell the Senate how and under what circumstances the construction of this laboratory was begun? Was an appropriation made for it in an appropriation bill or was it provided for in a lump-sum appropriation during the war?

Mr. POINDEXTER. There was a special appropriation in the act of 1916, at the time when the Navy entered upon its enlarged program, undoubtedly through the apprehension created by the European war, although it was before we entered the war.

Mr. McCORMICK. How long has it been since any work has been done on the laboratory?

Mr. POINDEXTER. There is some work under way toward the completion of the building.

Mr. McCORMICK. Has work toward the completion of the building been carried on during the last year?

Mr. POINDEXTER. It has.

Mr. SWANSON. Mr. President, the act of August 29, 1916, was the act in which this country got ready for war. I was acting chairman of the Naval Committee at that time, and those who knew the situation were satisfied that ultimately this country would get into war with Germany.

Mr. McCORMICK. When was that?

Mr. SWANSON. I refer to the act of August 29, 1916.

Mr. McCORMICK. That was before the election of that year?

Mr. SWANSON. It was August 29, 1916.

Mr. McCORMICK. Was it before the election of that year that those to whom the Senator refers were satisfied that we were going to war?

Mr. SWANSON. I am not indulging in petty politics, although the Senator does not seem to be able to get above it. The act itself shows what preparations were made; the act speaks for itself better than the Senator from Illinois or I, in a partisan way, could speak for it. That act, on account of the

emergency, increased the Navy from 55,000 to 87,000 men, and authorized the President, if he saw proper, to make a survey of all the navy yards and of all the ships. At that time we were trying to get ready for war. The act to which I have referred was really designed, if the emergency should arise, to be prepared for it. That is the reason I may say the Navy was ready when war was declared, regardless of any election. All that it is necessary to do in order to be satisfied of that fact is to read the act itself.

In that act a provision was also made to secure the services and cooperation of the inventors and scientific men of the country, so as to obtain the benefit of their labor and their knowledge. We could not get a scientist to work for the Navy unless he was given a commission. The act which I have mentioned authorized the employment of men such as Edison, men who were particularly expert in connection with the telephone and telephone inventions, and also explosives. At the same time a laboratory was established. I may say that Mr. Edison did splendid work. The listening device, to a large extent, was evolved by the consulting board, and it proved to be really one of the best means of fighting the submarine. I might also mention the depth bomb. Other civilians outside of the Navy did splendid work.

The provision was put in the bill as a war measure in order to enable the Navy to get ready for hostilities. Various scientists were employed. Mr. Edison was down here for months. He invented a method by which a ship could be so painted as to reduce its visibility to such an extent that the chances of a submarine on coming to the top seeing it would be lessened by at least one-half. Other schemes were devised for painting ships so as to deceive a pursuing ship and give the impression that it was going north when it was really going south.

I repeat that the establishment of the research laboratory and the Naval Consulting Board was a war measure. I am not prepared to say whether the work should be continued; I am willing to let the amendment proposed prevail so that the matter may go to conference. I have not examined to see whether or not the laboratory and the work proposed to be carried on there should be continued, but I know that the members of the Naval Consulting Board performed a valuable service. They came here and served practically without any pay whatever during the war and aided very materially in developing inventions and discoveries which were of great benefit to the Navy, as well as rendering service in consultation and advice.

I simply desire not to have the work of those men reflected on. They took no pay; they were down here at great loss and inconvenience to themselves; their own business was neglected; and they did splendid work, from my knowledge of them, during the war.

THE PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

MR. WALSH of Montana. Mr. President, before we pass from this subject I desire to place in the Record the provisions of the act of 1916 for the establishment of the experimental and research laboratory. It is found on page 570 of volume 39 of the Statutes at Large, and reads as follows:

Experimental and research laboratory: For laboratory and research work on the subject of gun erosion, torpedo motive power, the gyroscope, submarine guns; protection against submarine, torpedo, and mine attack; improvement in submarine attachments, improvement and development in submarine engines, storage batteries and propulsion, airplanes and aircraft, improvement in radio installations, and such other necessary work for the benefit of the Government service, including the construction, equipment, and operation of a laboratory, the employment of scientific civilian assistants as may become necessary, to be expended under the direction of the Secretary of the Navy (limit of cost not to exceed \$1,500,000), \$1,000,000: *Provided*, That nothing herein shall be construed as preventing or interfering with the continuation or undertaking of necessary experimental work during the fiscal year ending June 30, 1917, as heretofore conducted under other appropriations: *Provided further*, That the Secretary of the Navy shall make detailed reports to the Congress not later than June 30, 1917, and annually thereafter, showing the manner in which all expenditures hereunder have been made.

THE PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, at the top of page 7, to strike out:

CIVILIAN NAVAL CONSULTING BOARD.

For actual expenses incurred by and in connection with the civilian naval consulting boards, including the services of one clerk, at \$1,400 per annum, for duty in connection with the board at Washington, D. C., \$4,000.

The amendment was agreed to.

The next amendment was, under the head "Office of Judge Advocate General. Salaries, Navy Department," on page 9, after line 10, to insert:

To pay George Melling for compiling the laws and decisions relating to the Navy, Navy Department, and Marine Corps made prior to July 1, 1922, including an index thereto, and in accordance with Senate resolution of March 30, 1914, \$3,000, to be available upon completion of said work.

MR. KING. Mr. President, before proceeding to consider this amendment, may I inquire of the Senator for information, calling attention to lines 7 to 13, page 7, if in view of the reduction in the number of marines—and I will add, in passing, that the number should be still further reduced—it is necessary to employ private schools for the instruction of marines? My understanding is that we are providing at San Diego and elsewhere very adequate and efficient schools for the instruction of marines, and I am wondering whether it is necessary now to make provision to pay various States.

MR. POINDEXTER. The Senator misunderstands the purpose of that provision. It does not relate to marines technically at all. It relates to sailors. It does not affect the Marine Corps in any way whatever.

I will say to the Senator that these schools are entirely different schools from the naval training stations. They are maintained by the States. These sums are purely for the purpose of cooperating with the States. I think three States have expended some \$50,000 for the maintenance of these nautical schools. The experience of those schools and everybody who is familiar with those schools seems to have demonstrated that they are of immense value, far beyond the expense incident to them, in the development of the young men, even aside from promoting their usefulness and serviceability in the Navy. The parents of boys who have attended these schools are very loud in their praises of the effect upon the youths who have been trained there. They are schools maintained by the States. This provision is to reimburse the States for one-half the amount of money which they have expended.

MR. KING. Do I understand the Senator to mean that enlisted men of the Navy are sent, after their enlistment, to these schools which are maintained by the States for instruction in the duties which they would be compelled to perform in the naval service?

MR. POINDEXTER. Oh, no; not at all.

MR. KING. Then is this a mere gratuity by the Federal Government to the States to aid them in developing a sort of a nautical branch of their educational institutions?

MR. POINDEXTER. The purpose of it in the Navy bill is not as a gratuity at all, but it is considered in the interest of the public policy of the country to encourage the States in assisting in the maintenance of a place where young men can be instructed in the ways of the sea and at the same time disciplined to a certain extent, so that they are available not only for the merchant marine but in time of emergency would be available for the Navy. It is not regarded as a gratuity. It is regarded by the Congress—because this is simply a repetition of what Congress has done for a number of years—as the promotion of a good public policy for the country.

MR. KING. Then, as I understand—I want to get the matter clearly in my mind—a number of the States in some institutions which are maintained by public taxation have instructors who give some sort of instruction or some training in naval matters to young men who come to the State institutions?

MR. POINDEXTER. Not in naval matters but in nautical matters, which knowledge, of course, would be useful in case they should be called into the Navy.

MR. KING. Just the same as it would be important, perhaps, that young men should know something of astronomy if they were called into the Navy; but the point I am trying to get at is that the States are maintaining certain schools, and in those schools some attention is paid to nautical matters, and the States make contributions to those schools, because they teach nautical matters?

MR. POINDEXTER. It is just the other way. The States maintain the schools and the Federal Government makes contributions to them.

MR. KING. But there are no employees of the Government, no sailors of the Government, in those schools?

MR. POINDEXTER. Not at all.

MR. LODGE. Mr. President, I will say to the Senator that there is one of these schools in my State. The schools are conducted on ships which are maintained by the States. This \$25,000 is given under an act of Congress, so that it is given by law.

MR. KING. I was aware of that fact, because I know it has been carried in a number of appropriation bills.

MR. LODGE. The act was passed in 1911, and for a long time there were only two States, Massachusetts and New York, and I think Oregon, but I do not know. That seems to have dropped

out. I suppose it has given up the school. Pennsylvania is new.

Mr. KING. I ask for information: Has the Senator made any investigation in his own State so that he is convinced that those schools are beneficial?

Mr. LODGE. Oh, very; they are very good; and they are maintained really by the States. They have a commissioned officer on the ship in my State, and have maintained it for a great many years, and the school is on a ship.

Mr. KING. Then the amount contributed by the Federal Government would not be sufficient, of course, to maintain the school?

Mr. LODGE. Oh, no.

Mr. KING. And the benefit to the Government is indirect—

Mr. LODGE. Yes.

Mr. KING. In that young men who attend there may subsequently come into the Navy and have the advantage of the nautical training which they have received in the State school?

Mr. LODGE. Yes; that is exactly it.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 9.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Naval training station, California," on page 13, line 24, after the word "Island," to strike out "and San Diego," so as to read:

Maintenance of naval training station, Yerba Buena Island, Calif.: For labor and material; buildings and wharves; general care, repairs, and improvements of grounds, buildings, and wharves; wharfage, ferrage, and street-car fare; purchase and maintenance of live stock, and attendance on same; wagons, carts, implements, tools, and repairs to same; fire engines and extinguishers; gymnastic implements; models and other articles needed in instruction of apprentice seamen; printing outfit and materials, and maintenance of same; heating and lighting; stationery, books, schoolbooks, and periodicals; fresh water, and washing; packing boxes and materials; and all other contingent expenses; maintenance of dispensary building; lectures and suitable entertainments for apprentice seamen; in all, \$125,000.

Mr. POINDEXTER. Mr. President, on behalf of the committee, on account of additional information which has been received since that amendment was proposed, in view of the fact that the Navy now is in a period of transition so far as this training school is concerned between San Francisco and San Diego, and that a part of the year the school will probably have to be maintained at San Francisco and a part of the year at San Diego, I ask to have that amendment rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. KING. Mr. President, in view of what I understand to be the facts from letters which I have received, I should like to ask the acting chairman of the committee whether he believes it necessary to have two naval stations in California?

Mr. POINDEXTER rose.

Mr. KING. If I may state what my information is first, then I shall be very happy to have the Senator answer.

As I understand, at San Francisco Bay there is now a very excellent naval training station. One of the islands in that magnificent bay has been used for that purpose for a number of years. The Senator knows that many of our ships will be anchored there constantly. We shall have all classes of ships in that great harbor, both capital ships, submarines, and all kinds of naval craft. It would seem that San Francisco Bay and the surroundings are most admirably located for a naval training station, far better than San Diego. It would seem to me—and yet I profess to have no knowledge whatever upon the subject—that one naval station in California would be sufficient. To break it up, to divide it, to have the training station part of the time at San Francisco and part of the time at San Diego, would seem to me to be improper, and also expensive. May I ask the Senator the reason why there is a plan to break up or weaken the San Francisco naval training station?

Mr. POINDEXTER. The Senator apparently was not paying attention to the speech that I made a moment ago in regard to it. The purpose of the committee is to accomplish the very thing that the Senator from Utah suggests—that is, to have only one training station on the Pacific coast. I agree with him in that. In some years past the question of whether or not that training station should have been developed at San Francisco might have been a practical question; but in recent years we have constructed at San Diego, at an expense of \$2,000,000, permanent buildings for a training school for sailors, and in view of the policy of having only one training station on the Pacific coast it is intended to abandon the temporary building at San Francisco and concentrate the training activities at San Diego. We have not increased the appropriation in any way; but the suggestion I made a moment ago was

that in the coming fiscal year there would be a period of transition between the two schools, moving from one place to the other, and in order to accommodate the appropriation to that situation I asked that both names be left in, not for the purpose of having two schools but to cover the period when they are moving from one place to the other.

Mr. KING. Then, as I understand the Senator—and I did not gather this from his first statement—it is the purpose to abandon the school at San Francisco?

Mr. POINDEXTER. That is the intention, and that has been acted upon by Congress through a period of years.

Mr. KING. Of course, if, as the Senator stated, they have constructed buildings and a plant at San Diego costing \$2,000,000 there may be wisdom in abandoning the school at San Francisco, but it would seem to me, in view of the considerable sum which was spent at San Francisco, and in view of the fact that the school had been there for many years, that it was not the wisest policy to expend \$2,000,000 at San Diego. One would have supposed that the great San Francisco Bay, having, as I have indicated, a great fleet there, and the fullest opportunity to familiarize the students with all sorts of naval craft, would have been the ideal place for a naval training station, far better than at San Diego. However, if we are to have but one, I suppose the experts in the Navy have determined that San Diego is the place, and in view of the fact that we are to have but one, in which I concur, I shall not object to the amendment offered by the Senator.

Mr. POINDEXTER. I ask that the committee amendment be rejected.

Mr. KING. I would like to ask the Senator what there is in the bill to indicate the abandonment of San Francisco, and that no funds will be expended at San Francisco.

Mr. POINDEXTER. There is nothing in the bill except the limitation on the appropriation, which would indicate it. It is impossible to conduct two training schools with the \$125,000 that is carried in the bill.

Mr. KING. Of course, they would be permitted to divide the appropriation if they saw fit.

Mr. POINDEXTER. It is not the intention of the department to divide it, but to move the school from one place to the other.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

The next amendment of the committee was, under "Naval Training Station, Rhode Island," on page 14, line 14, after the words "Rhode Island," to insert "(exclusive of Coddington Point)" and a colon.

The amendment was agreed to.

The next amendment was, on page 15, line 5, to strike out "\$125,000" and to insert in lieu thereof "\$225,000," so as to read:

In all, \$225,000.

Mr. McCORMICK. Mr. President, before we continue with the discussion, in view of the fact that this is a matter of some moment, I make a point of no quorum, in order that more Senators may be present for the consideration of the matter.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Borah	Harris	McKinley	Simmons
Broussard	Heflin	McNary	Smoot
Bursum	Hitchcock	Nelson	Spencer
Cameron	Johnson	Newberry	Swanson
Capper	Jones, Wash.	Nicholson	Townsend
Colt	Kellogg	Oddie	Trammell
Culberson	Kendrick	Overman	Underwood
Dial	King	Pepper	Wadsworth
Dillingham	Ladd	Philpps	Walsh, Mont.
Edge	La Follette	Pittman	Warren
Ernst	Lenroot	Poinexter	Willis
France	Lodge	Pomerene	
Gerry	McCormick	Ransdell	
Glass	McCumber	Sheppard	

Mr. JONES of Washington. I desire to announce that the Senator from Kansas [Mr. CURTIS] is absent on official business.

The PRESIDING OFFICER. Fifty-three Senators having answered to their names, a quorum is present. The question is on agreeing to the committee amendment, which the Secretary will again report.

The ASSISTANT SECRETARY. On page 15, line 5, the committee proposes to strike out "\$125,000" and in lieu thereof insert "\$225,000."

Mr. McCORMICK. Mr. President, will the chairman of the committee tell the Senate how the respective sums of \$125,000 and \$225,000 compare with the sum appropriated a year ago for the same purpose? The figures which have been supplied to

me indicate that the appropriation for the training station at Newport last year was \$185,000.

Mr. POINDEXTER. Mr. President, at Newport there are a number of permanent buildings, thoroughly equipped, which have been utilized for years for housing a naval training school for apprentices in the Navy. In the management of this matter by the Navy Department that school has been abandoned during the past year.

Mr. McCORMICK. Did the Senator say "management"?

Mr. POINDEXTER. I used the word "management." I might use the word "administration." The Senator can choose whatever word he likes as the more appropriate. It was considered by the committee that instead of developing a new training school, being put to the necessity of erecting a lot of new permanent buildings while these stand idle, to the extent to which those buildings are capable of accommodating a training school they should be used, and upon hearings before the committee the details of the cost of the maintenance of a training school there for 2,500 men, which the advisers of the committee said was the number which could be accommodated there, were worked out and the amount was fixed at the amount carried in the amendment—\$225,000.

The \$125,000 carried in the bill as it passed the House would practically have been a loss, appropriated for a school which was not being used, from which no results were being obtained. If we add \$100,000 to it, we will get some benefit of the \$125,000 which was carried in the bill as it passed the House and get a training school in operation. We do not increase the total of the appropriation at all, because we take off a similar sum from Hampton Roads, and through the broadmindedness, if I may use that expression, of the member of the committee from Virginia there was no objection to that adjustment between the two States.

Mr. McCORMICK. Mr. President, the appropriation for the naval training station at Newport this year, then, is \$30,000 in excess of the sum appropriated for that purpose a year ago.

Mr. POINDEXTER. I hope the Senator will not overlook the point, in dwelling upon the comparison between the amount appropriated a year ago and the amount appropriated this year, what is really the controlling feature of this question, that under the appropriation a year ago there were no activities carried on at the school. I do not know what they did with the money, but there were no men being trained there. The committee proposes that there shall be 2,500 men trained there with this increased amount.

Mr. McCORMICK. Thirty thousand dollars more is appropriated this year for the training station at Newport, and if I am rightly informed \$200,000 less is appropriated this year for the training station at Great Lakes, the only naval establishment accessible to the people of the States which lie between the watershed of the Alleghenies and those of the Rocky Mountains. Is that true?

Mr. POINDEXTER. I think that is true. The question is whether that is the only training station in the interior?

Mr. McCORMICK. Yes.

Mr. POINDEXTER. I think that is correct.

Mr. McCORMICK. It is an interesting coincidence that from Key West to Kittery Point the constituencies are dotted with ammunition dumps, guarded by companies of marines; torpedo schools; navy yards; and naval colleges. If I remember rightly, the State of North Carolina, among those States the shores of which are washed by the Atlantic, by some strange combination, has never been made the site of a naval establishment of any sort. I presume that it was the existence of the mint in North Carolina at one time which offset the development of a seafaring population at a naval base in that State.

The committee itself is, perhaps naturally, made up largely of seaboard Senators from these various States where the establishments are to be found. There are two Senators on the Naval Committee from seaboard States for every one from an interior State. I do not mean that they are willfully biased in their determination as to what ought to be done.

I submit, Mr. President, that for a great many years a large proportion of the enlisted personnel of the Navy have come from those interior States, whence the men would naturally go to the single interior training station.

Under the management, as the Senator said, of the Secretary of the Navy, who has sailed on the *Henderson* for Japan at the time this reorganization bill is under consideration by the Senate, apprentices for the Navy and newly enlisted men in the Marine Corps were being concentrated at Norfolk and Charleston. I share the view of the Senator from Washington that it was absurd, ludicrous, fantastic, if nothing worse, to abandon permanent buildings at Newport to concentrate apprentices in temporary buildings at Norfolk. The recommendation must

have been approved at a time while the plans for the sailing of the class of 1881 preoccupied the department.

But I submit that if it would be absurd that youth from the North Atlantic States should be sent to Norfolk for their naval training, it is something more absurd to close the training station on the Great Lakes, built upon land given to the Government, and to make it necessary for the mothers and fathers of the young men from the inland States of Iowa, Illinois, Indiana, Michigan, and Wisconsin to go to Norfolk or to Newport to see their sons who have offered their services to the Navy.

There are some of us Senators from the inland States who, in the fulfillment of our judgment of what would serve the national interest, have supported measures looking to the maintenance of the American Navy and the reestablishment of the merchant marine, but I think it must be a very dull man who would imagine that he would enhance an understanding of the Navy and interest in the training of naval apprentices throughout the States of the upper Mississippi Valley by abandoning the only naval training station to which the sons of that country could go. I do not know how other Senators from the upper Mississippi Valley may feel, but I know for one that I am perfectly clear that if Secretary Denby or the Navy staff understand so little of human psychology that they think to arouse interest in the Navy by withdrawing from the interior the only station which embodies the Navy and makes it visible to the people of the interior, I can not agree with them.

Mr. KING. Mr. President, will the Senator permit an interruption?

Mr. McCORMICK. Certainly.

Mr. KING. For information I would like to ask the able Senator from Illinois, with whose remarks in the main I entirely agree, about what proportion of the recruits in peace times for naval service come from what might be denominated the interior States and what proportion come from the Atlantic seaboard and the Pacific seaboard?

Mr. McCORMICK. If my memory serves me right, in the old days well-nigh half the enlisted personnel of the Navy came from the interior. I have been told within the last few days, by one of the officers attached to the Naval Establishment, that for some strange reason that proportion has seriously changed and that relatively few recruits are coming from the interior. None, as it happens, during the period of their apprenticeship are now stationed at the Great Lakes Station, where the mothers and fathers and sisters can go and see the young men during the period of their schooling.

Mr. KING. May I suggest to the Senator that perhaps one reason for the greater number now coming from the seaboard arises from the fact that there have been numerous discharges from the Navy and from the Army, and perhaps many of them, not having sufficient funds to go home or having had a taste of sea or marine service, immediately reenlist and give their residence perhaps as of the seaboard State rather than the interior. But, without suggesting that as a reason to explain the situation just described, may I ask the Senator whether it is contended that the training obtained at the Great Lakes Station is inadequate or insufficient or is not as good as that which is obtained at Newport?

Mr. McCORMICK. I have never heard that alleged. The Senator knows, I think, that the training in the naval station is precedent to training at sea. It is not long since I stepped aboard a transport and was told by the commanding officer that half of the crew before the mast had never been to sea before. They were about to embark on their first voyage. At the naval training station, as the Senator knows from experience, the training is preliminary and precedent to the training which the enlisted man has at sea.

Mr. KING. That is my understanding. I was wondering if those who are such ardent advocates of having our training stations on the coast urged as a reason for it that they could not get adequate training at the Great Lakes Station.

Mr. McCORMICK. I have never heard that urged. If I am not mistaken the attempted abandonment—I was about to say destruction—of the large and permanent naval stations at Newport and the Great Lakes was determined by the present Secretary of the Navy, but upon whose recommendation I have not been told. It was he who ordered the concentration of all the apprentices in the temporary buildings at Norfolk. I have asked and shall presently receive, so I am advised, a list of the munition dumps and depots, torpedo schools, naval colleges, establishments, wireless schools, and other places for which appropriations are made in the bill.

I think that Senators who will study, for example, the report of the Marine Corps will be perfectly astonished by the distribution of marines, from Vladivostok, where there are 15, to Quantico, where there are 2,500. Any man who will

study that report will ask himself if a joint committee ought not to be appointed to examine stringently into what has been called the management of the Navy. The Navy, militarily, is efficient. Nautically, it is efficient. Under the very able direction of Admiral McGowan the paymaster's service became very efficient. But I am beginning to doubt that that which would be called management, the efficient and economic disposition of its land establishments, is what the country in these days of retrenchment has a right to expect of every department.

I have nothing further to say on the amendment in line 5, but in conjunction with what I have said I shall have an amendment to offer in line 1 on page 16.

Mr. KING. Mr. President, I am sure the observations just made by the Senator from Illinois must have proven interesting as well as instructing to those Senators who had the opportunity to hear them. I think the Senator's criticisms of what might be denominated the business administration of the Navy are entirely warranted. I had occasion a few moments ago to say that the overhead expenses of the Navy were entirely too great. I called attention to the fact then very briefly that the appropriations, instead of being reduced to such limits as the American people had reason to believe they would be reduced to, had reached the stupendous sum of practically \$300,000,000. The naval appropriation bill in 1903 was only \$78,000,000; in 1904, \$81,000,000; in 1905, \$92,000,000; 1906, \$100,000,000; 1907, 102,000,000; 1908, \$98,000,000; 1909, \$122,000,000; 1910, \$136,000,000; 1911, \$131,000,000; 1912, \$126,000,000; 1913, \$123,000,000; 1914, \$140,000,000; 1915, \$144,000,000; 1916, \$149,000,000.

Then came the war, with, of course, the attendant increase in the naval and military expenditures, but even in 1917, when we were thrust so precipitately into the great World War, the naval expenses were only \$313,000,000. In 1920 they were \$616,000,000; in 1921, \$433,000,000; for 1922 I have not the figures before me, but, as I recall, they were substantially \$400,000,000. For the fiscal year ending June 30, 1923, \$300,000,000 is asked.

The Senator from Illinois has challenged attention to what I conceive to be an evil in the administration of the affairs of the Navy. I hope the Senator from Illinois will move at the appropriate places in the bill to strike out the appropriations for a number of so-called naval bases or stations, and the various schools and camps and stations.

They dot both the Atlantic and the Pacific coast. The Senator has indicated that there is only one State upon the Atlantic coast which has not obtained its share of the plunder.

It was said for many years that the river and harbor bills were framed by log-rolling activities upon the part of the representatives of the people, and that every little creek and rivulet in many of the States received large appropriations. I recall when I had the honor to serve in the House of Representatives, during the discussion of the river and harbor bill before the Committee of the Whole, a State—I shall not now designate it—was named by the Secretary, who was reading the bill. There were a number of items of appropriations for little creeks and streams, known and unknown, in that State, and the Representative who was sitting at my side, attracted by the reading of the name of his State, rose and said that he had never heard of a given stream which was receiving a very large appropriation; it was a small State, too. However, by the process of conciliation and log-rolling, these great appropriation bills, which in the aggregate have taken from the Treasury of the United States more than \$1,000,000,000, have been passed.

Our public building bills have been drawn in the same way; and so we have scattered throughout the United States a large number of buildings in little towns. The Government of the United States has been compelled to pay for their erection, and is now being compelled to pay for their upkeep. So it has been with our Naval Establishment. This bill, carrying \$300,000,000, is a revelation of the extravagance and the waste which have characterized the conduct of the Navy Department and which still persists and reflects itself in many of the items found in the bill. Instead of having a score or two score or perhaps a hundred stations of various kinds—I think the number will be a hundred—why not concentrate into a few, and thus reduce the tremendous and extravagant overhead of the Navy?

We hear a great deal about the economies of the present administration, and every few days we are told that the Budget has saved the country enormous sums. As a matter of fact, Mr. President, the Budget as a reducer of expenses of the Government has proven utterly futile. The economies which have been effectuated have resulted from the action of the legislative branch of the Government. Much also is due to the splendid services of Representative MADDEN and much to the fine work of the distinguished Senator from Wyoming [Mr. WARREN] and

other members of the Appropriations Committee of the Senate; but I think that the appropriations are still too great. Instead of keeping within our income, we are advised by the Secretary of the Treasury that the deficit for the fiscal year of 1922 will be approximately \$500,000,000. I make bold to assert that when all of the deficiencies shall have been reported, and all of the appropriations made which will have to be provided in order to meet expenditures for the present year, the deficit will be over \$600,000,000. It is already reported that the expenditures for 1922 will aggregate \$2,831,479,212, plus \$1,393,164,200, and those sums do not include any of the deficiency appropriations which have not yet been reported, although some of them may have been reported, but perhaps not yet acted upon. So, Mr. President, this administration, with the enormous income which is being derived from the heavy taxes which are placed upon the people, will have a deficiency of between five hundred and six hundred million dollars. What the deficiency will be next year no one can determine.

Mr. BORAH. Mr. President—

Mr. KING. I yield to the Senator from Idaho.

Mr. BORAH. The Senator from Utah is discussing a subject in which the whole country is interested, and that is the apparent inability of Congress to reduce expenditures. As I view the situation, the figures, as I have studied them, indicate that we have made very little progress, comparatively speaking, none at all. The country is naturally asking and everybody is asking what is the remedy? It is very clear to my mind that so long as we regard the party in power as being responsible for these expenditures we shall never make any progress. It does not make any difference which of the parties is in power, the expenditures continue to rise and taxes continue to increase. I do not say this to raise a partisan question but rather to obviate such a suggestion, for when we consider the expenditures which have been provided for up to this time it is apparent there is no party responsibility for them. Appropriations, many of which, I think, are intolerable and unjustifiable, have been supported from the other side of the Chamber just as eagerly as they have been supported from this side of the Chamber.

Now, so long, Mr. President, as that condition continues, and at the same time the impression is conveyed to the country that the particular administration or party in power is responsible for it, we are not getting the real facts of the situation to the country; and the abuse can not be corrected except through the power of public opinion. Let it be understood when the sum total is made up and the tremendous expenditures are known and the taxes continue to increase that it is not by reason of the action of one party but by reason of the action of both parties here in this Chamber. Neither side of the Chamber has any plan of economy; but both sides of the Chamber are always willing to swell appropriations whenever they have an opportunity to do so.

Mr. KING. Mr. President, I think the Senator from Idaho will acquit me of any partisanship in the discussion of appropriation bills. The Senator will recall that when the Democratic Party was in power perhaps I was more critical of the appropriations made by it than I have been of the appropriations carried in the bills reported by the present Republican majority, not because I thought the Democratic Party was more censurable than the Republican Party but because I felt that the Democratic Party, with its professions for economy, ought to know better and that it deserved more serious criticism than did the Republican Party. The Democratic Party has made greater professions of economy and efficiency of the administration than has the Republican Party, and I think the Democratic Party is more deserving of censure for extravagant appropriations, if they are made when that party is in power, than is the Republican Party, because the Democrats know better, they are pledged to economy, and they know when they are not economical and not efficient they are violating their platform and the principles upon which the Democratic Party rests.

I agree entirely with the Senator from Idaho that the record of the Democratic Party in the Senate and in the House is not free from criticism by any means upon the question of appropriations; upon these matters I would as quickly condemn my own party for what I regard as extravagance as I would condemn the Republican Party; but I want to say to my good friend from Idaho that the American people have not yet learned what economy is in governmental expenditures. As the Senator knows, we are whipped and spurred by our constituents and by the people throughout the United States to make appropriations upon every conceivable subject.

Mr. BORAH. By a very small portion of them. We get a telegram with reference to an appropriation for a particular part of the country; perhaps it represents a dozen men who

are interested in the proposition; but the other several thousand we do not hear from, and to them we pay no attention. We legislate upon the call of a very small minority when it comes to the question of increasing appropriations. I have no doubt at all that the great mass of people are opposed to large appropriations, and that if the true voice of the people could be ascertained from the entire people it would be against them; but a few telegrams put us in action.

Mr. KING. There is very much in what the Senator says. The brave and courageous men in the Senate—and, of course, it would be unparliamentary for me to refer to those at the other end of the building, in the House of Representatives—are thrown into perturbation when telegrams and letters come demanding appropriations; but I invite the attention of the able Senator from Idaho to the fact that in our municipalities, in our political subdivisions, precincts, counties, school districts, and in our States there has been for the past 10 years a growing tendency toward extravagance and increased appropriations. If the Senator will now pick up the New York newspapers of to-day, or of any day, he will find there advertisements of various bond issues by political subdivisions, by States, by counties, and by school districts. The people seem to feel that they are warranted in bonding themselves and their inheritance and placing yokes and burdens upon their children and their children's children for many years to come.

I put into the RECORD some months ago figures showing the bonded indebtedness of the States and the municipalities and the counties in the United States. The sum is startling because of its magnitude. The bonded indebtedness of the United States, as the Senator knows, is approximately \$24,000,000,000. I think there should be an educational campaign in the interest of public economy. We have not set the example here. The Senate has responded to the demands of executive departments, and the Senator knows that the voracity of the appetite of executives never can be appeased. I venture the assertion that as to the bill before us when the estimates were presented by the representatives of the Navy Department there were demands for two or three hundred million dollars more than are carried by the bill. The executive departments, no matter which party is in power, ask for more and still more; they are never satisfied, and would never be satisfied, no matter what appropriations might be made.

There is some sort of a malignant disease that takes possession of executive officials when they get into office. They want more power, and they want larger appropriations, and they want an extension of their authority; and Congress too freely, too liberally, too quickly responds to their demands, and so the appropriations increase by leaps and bounds. We will appropriate for the coming year perhaps nearly \$4,000,000,000, and then there will be a deficit, and when the bonus bill is passed instead of its being four billions it will probably be six or seven or eight billions of dollars. So the expenses of the Government will increase, and we will proclaim our devotion to economy and to efficiency, but there will be none. It seems as if it were a hopeless task.

If the public will concern themselves in these appropriations, and will scourge the public servants, their Representatives in the House and their Senators, and demand of them economy, and threaten them with political annihilation unless there is economy, we may get it; and if we will curb the rapacity of executive officials, it will be a long step in the direction of economy.

I repeat, I hope that when we reach the appropriate places in the bill the able Senator from Illinois [Mr. McCORMICK] will move to strike out the appropriations carried for a multitude of these useless and unnecessary bases for all sorts of things. We can prune this bill of fifty to seventy-five million dollars and leave an adequate amount for an efficient, a scientific, a modern, an up-to-date Navy, such as the American people will be proud of.

The PRESIDING OFFICER (Mr. LADD in the chair). The question is on the committee amendment on page 15, line 5.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 15, at the end of line 9, to strike out "\$15,701.60" and to insert "\$20,000," so as to make the proviso read:

Provided, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting inspection, and messenger service for the fiscal year ending June 30, 1923, shall not exceed \$20,000.

Mr. KING. Mr. President, I see no reason for this increase. The House allowed \$15,701. I presume, however, it will be assigned as a sufficient reason that having increased the general amount from \$125,000 to \$225,000, there ought to be an increase here.

Mr. WARREN. Mr. President, this comes out of the other amount. It does not increase the total. This \$20,000 is a part of what we have just passed on.

Mr. LODGE. It does not increase any appropriation.

Mr. KING. I understand that, but I am trying to limit the amount to be paid to civilian employees.

Mr. POINDEXTER. Mr. President, the Senator no doubt has examined the bill carefully and is familiar with its provisions; and, if so, he will have noticed that corresponding to the increase of \$5,000 on page 15 there is a decrease of \$5,000 on page 16, so that it leaves the total exactly as it was before.

Mr. KING. Yes; but the point I had in mind, if the Senator will pardon me, is that all through this bill we find such large amounts, according to my view, devoted to clerical help, so much paid for overhead. These few thousands here—\$5,000 in this place and \$10,000 in another place, for clerks and overhead, and so on—in the aggregate make a very large sum. I think we ought to prune.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 16, line 1, to increase the appropriation for maintenance of the Great Lakes Naval Training Station from "\$160,000" to "\$200,000."

Mr. McCORMICK. Mr. President, I move to amend the amendment of the committee by striking out "\$200,000" and inserting in lieu thereof "\$350,000."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Illinois to the amendment of the committee, which will be stated.

The ASSISTANT SECRETARY. In lieu of the sum proposed to be inserted by the committee, "\$200,000," it is proposed to insert "\$350,000."

Mr. POINDEXTER. Mr. President, I desire to call attention to the fact that the increase made here is all that was asked for by the Navy Department and all that was asked for by the colleague of the Senator from Illinois in the amendment which he proposed before the Committee on Appropriations.

Mr. McCORMICK. What was the item submitted by the Budget?

Mr. POINDEXTER. Three hundred and sixty thousand dollars.

Mr. McCORMICK. Was that asked by the department?

Mr. POINDEXTER. Not in the hearings before the committee. I will read the Senator what was asked.

Mr. McCORMICK. Presumably that was a figure which the Director of the Budget did not force on the department.

Mr. POINDEXTER. The testimony of Admiral Washington before the committee was that—

It is hardly practicable to get along with that amount—

That is, referring to the amount allowed by the House—

and carry on the schools which we hope to carry on, namely, radio and aviation schools at Chicago.

The principal item is coal, and I think an increase of \$40,000 over what the House allowed us would be sufficient to meet our needs.

So we added that \$40,000 and made the total \$200,000 upon the motion of the Senator's colleague.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Illinois to the amendment of the committee.

Mr. McCORMICK. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KING. Mr. President, may I inquire of the Senator from Illinois as to the amount that has been appropriated for a number of years past for the training station at Great Lakes?

Mr. McCORMICK. Last year the amount was \$400,000. This is \$50,000 less than last year, whereas the amount proposed to be appropriated for Newport, and appropriated under the decision of the Senate, is \$30,000 more than last year.

Mr. KING. While I concede that there is perhaps no proper basis for comparison, I should like to inquire of the Senator approximately the amount appropriated in 1915, 1916, and 1917 for naval training.

Mr. McCORMICK. I am not able to tell the Senator. As he knows, the establishment has been very much enlarged since that time.

Mr. KING. Yes.

Mr. McCORMICK. I am frank to say that if there is to be but one concentration of apprentices in this country, in view of the one hundred and some naval establishments running from Bremerton to Key West and from Key West to Kittery, I should

think we in the interior might be given a glimpse of our common Navy at the Great Lakes Station.

Mr. BORAH. Mr. President, I desire to ask the Senator in charge of the bill a question. I understood him to say that this amount of \$200,000 was appropriated because it was the amount asked for by the department. Is that correct?

Mr. POINDEXTER. No; I did not say it was appropriated because it was asked for, but I said that it was asked for and that the committee was of the opinion that it should be appropriated.

Mr. BORAH. What I meant to say was the committee conformed to their request?

Mr. POINDEXTER. Yes. Of course, we considered the purpose for which it was asked. We went very carefully into the purpose for which it was to be used. There is a radio school there and an aviation school.

I may say, in regard to this naval training station at Great Lakes, that it is very largely the product of the war, like many other establishments that we are now trying to reduce.

This bill as it stands on the report of your committee carries \$200,000, however, for this training school, as against \$125,000 for the entire Pacific coast and \$260,000 for Hampton Roads and \$225,000 for Newport; and I fail to see any very great discrimination or discrepancy between those allowances.

Mr. McCORMICK. Will the Senator from Washington explain why, in his judgment, it is appropriate to increase the appropriation for Newport as compared with last year and to decrease that for Great Lakes?

Mr. POINDEXTER. Because of the fact that the increase of \$100,000 at Newport was demonstrated to be necessary to operate the permanent buildings there.

Mr. McCORMICK. Are the buildings at Great Lakes any less permanent than those at Newport?

Mr. POINDEXTER. Much less permanent so far as a great number of them are concerned.

Mr. McCORMICK. How many men will the permanent buildings at Newport house, and how many men will the permanent buildings at Great Lakes house?

Mr. POINDEXTER. They will house a great many, but they will house 2,500 at Newport.

Mr. McCORMICK. How many at Great Lakes?

Mr. POINDEXTER. Probably equally as many.

Mr. McCORMICK. Why should there be the distinction?

Mr. POINDEXTER. I am informed that the number of men estimated as capable of being housed in the permanent buildings at Great Lakes is 1,800. A radio school and an aviation school are being conducted there.

Mr. McCORMICK. How many men are there in those two schools now?

Mr. POINDEXTER. There are 400 men there in those schools.

Mr. McCORMICK. There is room for 1,400 more men there, then. It is an interesting coincidence.

Mr. BORAH. Mr. President, before the Senator sits down, it does not seem to me that the true test here is whether or not this appropriation compares with that for Newport, but the question is, How much is really needed? According to the statement of the Senator from Washington, the committee has already appropriated all that could be used.

Mr. McCORMICK. Mr. President, I will say to the Senator from Idaho that if the Secretary of the Navy determines to keep these apprentices in the shacks at Norfolk, not a dollar of the increased appropriation will be needed at Newport. It may very well be that he will take that view, even though he has no high opinion of the judgment of the Senate. It will take approximately the sum of \$350,000 if he orders to Great Lakes as many apprentices as it can comfortably house.

Mr. BORAH. I am willing to go back to Newport and keep down the amount to \$125,000, but I am not willing, if we made a mistake on Newport, to make a second mistake on Great Lakes; and the question is not what we did with reference to Newport, but whether this increased amount is really needed at Great Lakes. As I understand, the Senator's colleague [Mr. McKINLEY] moved for this amount in the committee upon the hearings, and upon the motion of the Senator's colleague, based upon the evidence, the amount was made \$200,000.

Mr. McCORMICK. Yes; and that presumed the abandonment of the apprentice school at Great Lakes. For one I am not willing to assent to the proposition that apprentice seamen enlisted in the interior shall all be ordered to Norfolk or Newport or San Diego. It would be just as sound and more sound to order the seaboard apprentices to the interior, in view of the establishments—one hundred and some—which are maintained from Bremerton to Key West, and from Key West to Newport, as I have said.

Mr. BORAH. I think if the boys had their choice they would likely want to go just as far away from their homes to get their education as they could. That is the general experience that we have.

Mr. McCORMICK. Of course there is an establishment at Vladivostok.

Mr. BORAH. Yes; and I understand that we are maintaining it.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Illinois [Mr. McCORMICK] to the amendment of the committee, on which the yeas and nays have been called for and ordered. The Secretary will call the roll.

The Assisant Secretary proceeded to call the roll.

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Vermont [Mr. PAGE], and vote "nay."

Mr. SUTHERLAND (when his name was called). I transfer my pair with the senior Senator from Arkansas [Mr. ROBINSON] to the senior Senator from Pennsylvania [Mr. CROW], and vote "nay."

Mr. WATSON of Indiana (when his name was called). I transfer my general pair with the senior Senator from Mississippi [Mr. WILLIAMS] to the junior Senator from Pennsylvania [Mr. PEPPER], and vote "nay."

The roll call was concluded.

Mr. BALL (after having voted in the negative). I find that my general pair, the senior Senator from Florida [Mr. FLETCHER], has not voted. So I transfer that pair to my colleague [Mr. DU PONT], and let my vote stand.

Mr. EDGE (after having voted in the negative). I transfer my general pair with the senior Senator from Oklahoma [Mr. OWEN] to the junior Senator from Maryland [Mr. WELLER], and let my vote stand.

Mr. ERNST. I transfer my general pair with the senior Senator from Kentucky [Mr. STANLEY] to the junior Senator from Oregon [Mr. STANFIELD], and vote "yea."

Mr. CURTIS. I desire to announce that the junior Senator from Pennsylvania [Mr. PEPPER] is detained on official business.

Mr. COLT. Has the junior Senator from Florida [Mr. TRAMMELL] voted?

The PRESIDING OFFICER. He has not voted?

Mr. COLT. In his absence, as I have a general pair with that Senator, I withhold my vote.

Mr. FRELINGHUYSEN. I transfer my general pair with the senior Senator from Montana [Mr. WALSH] to the junior Senator from Iowa [Mr. RAWSON], and vote "yea."

Mr. GLASS (after having voted in the negative). I transfer my general pair with the senior Senator from Vermont [Mr. DILLINGHAM] to the senior Senator from Texas [Mr. CULBERSON], and permit my vote to stand.

Mr. MYERS. Has the Senator from Connecticut [Mr. MCKEAN] voted?

The PRESIDING OFFICER. He has not voted.

Mr. MYERS. I have a general pair with that Senator, which I transfer to the senior Senator from Missouri [Mr. REED], and vote "nay."

Mr. KING. The senior Senator from North Carolina [Mr. SIMMONS] is paired with the junior Senator from Minnesota [Mr. KELLOGG]. Both Senators are necessarily absent from the Chamber.

Mr. CURTIS. I desire to announce the following pairs:

The junior Senator from New York [Mr. CALDER] with the Senator from Georgia [Mr. WATSON];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Mississippi [Mr. HARRISON];

The Senator from Maine [Mr. HALE] with the Senator from Tennessee [Mr. SHIELDS]; and

The Senator from Indiana [Mr. NEW] with the Senator from Tennessee [Mr. MCKELLAR].

The result was announced—yeas 17, nays 37, as follows:

YEAS—17.			
Bursum	Gooding	McKinley	Shortridge
Cameron	Harrell	McNary	Willis
Ernst	Johnson	Oddie	
France	Lodge	Pomerene	
Frelinghuysen	McCormick	Sheppard	
NAYS—37.			
Ashurst	Glass	Myers	Sutherland
Ball	Harris	Newberry	Swanson
Borah	Healin	Overman	Townsend
Broussard	Hitchcock	Philpps	Underwood
Capper	Jones, Wash.	Pittman	Walsh, Mass.
Caraway	Kendrick	Poinexter	Warren
Curtis	King	Ransdell	Watson, Ind.
Dial	Ladd	Smoot	
Edge	La Follette	Spencer	
Gerry	McCumber	Sterling	

NOT VOTING—42.

Brandegee
Calder
Colt
Crow
Culberson
Cummins
Dillingham
du Pont
Elkins
Fernald
Fletcher

Hale
Harrison
Jones, N. Mex.
Kellogg
Keyes
Lenroot
McKellar
McLean
Moses
Nelson
New

Nicholson
Norbeck
Norris
Owen
Page
Pepper
Rawson
Reed
Robinson
Shields
Simmons

Smith
Stanfield
Stanley
Trammell
Wadsworth
Walsh, Mont.
Watson, Ga.
Weller
Williams

So Mr. McCORMICK's amendment to the committee amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, on page 16, line 11, to reduce the appropriation for maintenance of Naval Training Station at Naval Operating Base, Virginia, Hampton Roads, Va., from "\$360,000" to "\$260,000."

The amendment was agreed to.

The next amendment was, on page 16, at the end of line 15, to strike out "\$25,000" and insert "\$20,000," so as to make the proviso read:

Provided, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, and messenger service for the fiscal year ending June 30, 1923, shall not exceed \$20,000.

The amendment was agreed to.

The next amendment was, under the subhead "Naval Reserve Force," on page 16, line 20, after the word "wharfage," to strike out "\$50,000: *Provided*, That no part of the money appropriated in this act shall be used for the training of any member of the Naval Reserve Force except with his own consent," and to insert, "pay and allowances of officers and enrolled men of the Naval Reserve Force, other than class 1, while on active duty for training; mileage for officers while traveling under orders to and from active duty for training; transportation of enrolled men to and from active duty for training, and subsistence and transfers en route or cash in lieu thereof; subsistence of enrolled men during the actual period of active duty for training; pay and allowances of officers of the Naval Reserve Force and pay, allowances, and subsistence of enrolled men of the Naval Reserve Force when ordered to active duty in connection with the instruction, training, and drilling of the Naval Reserve Force; and retainer pay of officers and enrolled men of the Naval Reserve Force, other than class 1, \$3,000,000, which amount shall be available, in addition to other appropriations, for fuel and transportation and for all expenses in connection with the maintenance, operation, repair, and upkeep of vessels assigned for training the Naval Reserve Force: *Provided*, That members of the Volunteer Naval Reserve may, in the discretion of the Secretary of the Navy, be issued such articles of uniform as may be required for their drills and training, the value thereof to be charged against the clothing and small-stores fund: *Provided further*, That no part of the money appropriated in this act shall be used for the training of any member of the Naval Reserve Force except with his own consent," so as to read:

For expenses of organizing, administering, and recruiting the Naval Reserve Force and Naval Militia; for the maintenance and rental of armories, including the pay of necessary janitors, and for wharfage, pay and allowances of officers and enrolled men of the Naval Reserve Force, etc.

Mr. BORAH. I would like to ask a question of the Senator having the bill in charge. I do not understand this amendment. Is it an increase in the appropriation over the House appropriation from \$50,000 to \$3,000,000?

Mr. POINDEXTER. It is.

Mr. BORAH. I wish the Senator would explain the necessity for that.

Mr. POINDEXTER. My understanding is that the opinion of the framers of the bill in the House was that the matter of training the Naval Reserve ought to be left until such time as the entire establishment of the Naval Reserve was reorganized by new legislation, which will probably have to be done. It was thought by the Senate committee, however, that rather than forego entirely the training of the Naval Reserve in the coming fiscal year, which would be the result of following the policy just stated, we would make appropriations for that in this bill. The amount of \$3,000,000 we considered a very modest amount for the purpose of training 10,000 enlisted men and 3,000 officers in the reserve.

Mr. KING. I would like a little further explanation from the Senator. Is there a general law which authorizes the course which this bill seems to prescribe?

Mr. POINDEXTER. There is.

Mr. KING. What was the amount expended last year for this, and how many responded, both enlisted men and reserve officers?

Mr. POINDEXTER. There was no training last year at all. Mr. KING. Let me say to the Senator that I have received three letters, one from an officer and two from men, claiming that this was a good deal of a farce. I express no opinion, because I do not know enough about it to justify me having an opinion. One officer who wrote me stated that it was just a holiday, that he had a delightful time. As I recall, he went a year or two ago, down on the Pacific somewhere, down toward Peru, and obtained very good compensation, as he stated, far more than he was receiving at home. He rather protested against it, and claimed that the Government was not receiving a quid quo pro.

It would seem to me that the greater part of this appropriation would be consumed in paying the traveling expenses of the enlisted men from the interior, or wherever they lived, to the boats and back home. May I inquire of the Senator how it operates and whether any good has resulted from the system?

Mr. POINDEXTER. It is the judgment of most competent officers that the training of these men for periods of two weeks in naval discipline and naval instruction is of the utmost value. Men responding to this opportunity for training put themselves under obligation to be taken into the naval service of the country in case of emergency or in case of war, so that we create here, for comparatively small expense, a large force of partially trained men. Of course we can not train them completely in this short time.

I would not attach very much importance, I may say to the Senator from Utah, to the statement of an officer who took part in this training and then said that it did not amount to anything, that the Government was not getting anything out of it, but that he had a pleasant cruise. Any man who goes into it and does his duty will do a great deal more than that. He is bound to get some benefit for himself if he does the work outlined for him and obeys the orders given to him, or if he is an officer and gives proper instruction to the men under him. On the face of it, a comment of that kind from a man who served as an officer in the training of the Naval Reserve condemns its author and falls of its own weight, in my opinion.

We have had a great deal of experience with the matter, and it is the universal opinion of those who are capable of judging that very great benefit is derived from the training of the men.

Mr. KING. I should like to inquire of the Senator how many officers in any one year have availed themselves of this provision of the law, and also the highest number of men who have availed themselves of it?

Mr. POINDEXTER. I am not able to give the Senator the figures as to all the previous years, but it is hoped and expected that there will be 3,000 officers and 10,000 men who will attend for training this year. I call the Senator's attention to the fact that there is scarcely any precedent of value in view of the fact that prior to the war the Naval Establishment, so far as ships and tonnage and men were concerned, was very small as compared with even that provided for in this bill; that during the war all of the activities of training of Naval Reserves were suspended, and that in the reorganization and reestablishment which has been going on since the war they have also been interrupted. So we are practically starting upon a new system, which will, as I said a moment ago, call for a revision of the law relating to the Naval Reserve and putting it, we hope, upon a more economical basis.

We carry a great many men now upon practically retired pay, which list is being constantly added to. It is one of those very liberal and generous provisions which came out of the spirit of generosity and liberality, if not extravagance, which characterized the people during the war and following the war. There will be need for revision of the law to come back to normal conditions.

Mr. KING. How much is paid to the officers and how much is paid to the men? I do not mean in the aggregate, but to each.

Mr. POINDEXTER. Of the items of pay, the men and officers will receive \$1,165,682. The mileage of officers will be \$77,680. The active-duty ship keepers, \$304,286; provisions for ship keepers, \$109,500. Rent of armories, which is rather a misnomer, because we really have no armories and will have to acquire rooms where the men will meet and put on uniforms and undergo drill and where they can get some shelter, \$250,000. There will be a small number of officers on active duty and there is \$51,926 provided for them. For pay of all men for 17 days—that is, counting 15 days of actual training and a day going and a day coming—\$715,000; for provisions for men during the

period of training, \$75,000; and for fuel for the operation of the ships upon which the training will be given, \$250,000.

Mr. KING. That means practically, if I follow the Senator, that the officers get the major portion of it.

Mr. POINDEXTER. The officers get very little of it. I have not the segregated figures, but it is a mere matter of clerical computation. Pay of 3,000 officers during two weeks and pay of 10,000 men during the same period can easily be figured out. Each class of men will get what is allowed that class under the provisions of the pay law which was recently enacted by Congress.

Mr. KING. The Senator gave an item of one million several hundred thousand dollars.

Mr. POINDEXTER. That was for officers and men, retainer pay—one month's retainer pay for officers and men.

Mr. KING. Then the men receive, in addition to the \$715,000 for 17 days' pay, retainer pay for one month?

Mr. POINDEXTER. Yes.

Mr. KING. And the officers receive retainer pay for one month?

Mr. POINDEXTER. That is true.

Mr. KING. And then pay for 17 days?

Mr. POINDEXTER. Yes. Of course, the retainer pay is fixed by law for the various classes of the naval reserves. The purpose of it is to compensate men for putting themselves under the obligation of responding to the call of the country in case of an emergency or in case of war.

Mr. KING. May I inquire of the Senator whether that retainer pay is given to the men prior to or after the service of 17 days, because if we pay in advance we may not get the 17 days' service.

Mr. POINDEXTER. What was the Senator's question?

Mr. KING. Is the retainer pay of one month given to the man in advance of the actual 17 days' service?

Mr. POINDEXTER. Not at all. It is given to him only when he responds and volunteers for the service.

Mr. KING. There is no question about that, I understand?

Mr. POINDEXTER. There is no question about it.

Mr. KING. And they draw the same compensation as if they were in the Navy? If they bear the grade of captain or admiral, they get a month and 17 days' pay of a captain or admiral or whatever rank they may hold?

Mr. POINDEXTER. Yes. I imagine there will be no admirals and probably very few captains, but whatever rank or grade they occupy, they will get one month's pay as a retainer and in addition to that will get 17 days' pay of the grade which they hold.

Mr. KING. Then the proposition is simply, as I understand it, that 10,000 men and more than 1,000 officers are to be paid, under existing law—and this bill carries the appropriation—one month's compensation each year and compensation for 17 days' service, for the 17 days they are absent from their homes. In other words, to get them to give 17 days' service each year we pay them for the 17 days and in addition to that one month's compensation. It may be worth it, but I confess I am not able to perceive it.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. KING. Mr. President, I would like to ask one more question of the Senator from Washington. He may have answered it, but I did not hear it. What reason was assigned by the House for not putting this item in the bill?

Mr. POINDEXTER. The reason was that the law relating to the Naval Reserve will soon be revised and there ought to be a general revision, and they preferred to wait and have a special appropriation bill for the training of the Naval Reserve. The only difference of opinion in that respect between the Senate committee and the House committee is that the Senate committee recommends that the appropriation be made in this bill, notwithstanding the prospective revision of the Naval Reserve act.

Mr. KING. I should like to ask the Senator to put this item over until to-morrow and give me a chance to examine into it a little further. If we take a vote now I may be compelled to move to reconsider. I have no objection to taking a vote on it now, if the Senator will consent to permit a motion to reconsider to-morrow in the event I desire to reopen the question.

Mr. POINDEXTER. I was in hopes that we might go on with the matter and dispose of it.

Mr. KING. I have no objection. I merely ask that the vote on this particular item may go over until to-morrow, or, if the Senator desires to take a vote now, that I may make a motion to-morrow to reconsider if I shall be so advised.

Mr. POINDEXTER. That will be entirely satisfactory. Let us take the vote, and then, if the Senator desires to reopen it, he can make his motion.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. KING. May I inquire of the Senator from Washington with respect to the item providing for "Naval War College, Rhode Island"? It is not subject to amendment under the present method of procedure; but what is the necessity of maintaining the Naval War College there or of making this appropriation?

Mr. POINDEXTER. The Naval War College at Newport has been established for a number of years and is regarded by a great many men, such as Admiral Sims, for instance, who is at the head of it at the present time, as the most valuable institution in the Navy. It is the only school in the Navy which trains officers in the art of war. The purpose of it is to give a post-graduate course to officers of the Navy in the strategy and tactics of naval campaigns and battles. There will be found there taking this course commanders and admirals. The college at Newport is regarded as having proved its usefulness by the interest which it has created among the officers of the Navy and by the improvement which they have received from the course which they have there taken.

Mr. KING. Mr. President, I concede the wisdom and the propriety of having such a post-graduate school, but it occurred to me that we have the War College here at Washington, as the Senator knows, and, though its functions are somewhat different, it might be amplified to embrace the work of the institution at Newport—

Mr. POINDEXTER. That has been suggested.

Mr. KING. And thereby save the expense of having another college in some other place. The most expert men are here at the War College; they are up to date on all modern naval warfare and its technique; and it occurred to me that it would be better to concentrate and have one splendid naval war college.

Mr. POINDEXTER. But, of course, the War College here relates to warfare on land.

Mr. LODGE. The War College here has to do with the Army.

Mr. GERRY. Mr. President, if the Senator from Utah will allow me, the War College at Newport is a naval war college, while the War College here in Washington is an Army war college. The War College in Newport has been established, as the Senator from Washington [Mr. POINDEXTER] has stated, for a great many years. The officers who undergo instruction there pursue a course of intensive study. I do not know whether the Senator from Utah has ever seen the war games, but the officers at Newport work out maneuvers on a board and then try them out practically with the fleet. It has really been a great source of strategic naval development.

Apart from that, the college at Newport is utilized to its full capacity, as I think the War College is in Washington; and it would really be an additional expense, even supposing that it were a practical proposition, to try to enlarge the War College here and to do away with the Naval College at Newport, where all necessary facilities have been provided. If the idea of the Senator from Utah is one of economy, I feel sure he is going in the opposite direction if he advocates the abandonment of the Naval War College at Newport.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Naval Observatory, salaries, Navy Department," on page 23, line 11, before the word "two," to strike out "two at \$1,400 each" and insert "one \$1,400," so as to read:

Astronomers—1 \$3,200, 1 \$2,800; assistant astronomers—1 \$2,400, 1 \$2,000, 1 \$1,800; assistant in department of nautical instruments, \$1,600; clerks—chief \$2,000, 1 \$1,800, 1 \$1,600, 1 \$1,400.

Mr. LODGE. Mr. President, I desire to address the Senate very briefly in regard to the amendments proposed by the committee reducing the number of employees provided by the House bill for the Naval Observatory and the Nautical Almanac. The provisions made by the House are very moderate. The Nautical Almanac and the Naval Observatory perform a service of the very highest value. They are engaged in activities which are essential, and they are as free from overhead expenses, to which my friend from Utah [Mr. KING] is fond of objecting, as are any institutions of which I know in the Navy or in any other department of the Government. I have therefore secured some facts in regard to these two adjuncts to the naval service which I wish to lay briefly before the Senate.

Mr. KING. To what specific item is the Senator from Massachusetts referring?

Mr. LODGE. I am referring to the amendments reported by the committee affecting the Naval Observatory and the Nautical Almanac. I am going to consider them both together. In my

judgment, there ought to be no reduction in the appropriations for either the Naval Observatory or the Nautical Almanac below those provided by the House. The economies that are proposed to be effectuated by the amendments of the Senate committee are trifling, while the work which these two great organizations perform is absolutely vital to the naval service; and it is performed at a lower rate of cost than similar work is performed at the observatory at Greenwich or at any other foreign observatory. I may add also that a larger amount of work is done.

The first amendment to which I desire to call attention is, on page 23, line 11, where the committee propose to reduce the number of clerks at \$1,400 in the Naval Observatory from two to one. From the statement which has been furnished to me it appears that—

this clerk is needed to keep up with current work in the material business of the Bureau of Navigation which is done at the observatory. The effective number of clerks has not been increased over the 1915 standard, because then two clerks were borrowed from other branches and enlisted clerical force was available. They did not show on this appropriation. This arrangement is no longer permitted. Business has much increased since 1915.

It seems that they have dispensed with some of the clerical assistance in that particular office; and I do not think there ought to be any further reduction.

The next amendment to which I desire to refer is on page 23, line 13, which proposes to reduce the number of assistants from three at \$1,600 each to two at \$1,600 each, and from three at \$1,400 each to two at \$1,400 each, a reduction of one in each class.

These "assistants" are astronomers in the making. The cut results in taking off one observer (who also does high-class computing) from each of two principal astronomical instruments. These men represent a considerable Government investment in the years of training they have received here for the work needed. Or else the \$1,600 cut results in removing the acting head of the computing division, to whom the same statement applies. None can be spared.

On page 23, line 16, one fireman is eliminated, the number being reduced from four to three; the number of watchmen is reduced from seven to five, and the number of laborers from eight to six. In connection with this proposed reduction the statement to which I have heretofore referred says:

There are now four firemen. Out of 46 buildings scattered over 62 acres, 18 buildings are heated by the central plant. These men handle coal, look after pumps, boilers, piping, plumbing, etc., and also run motor lawn mowers. The Government allows each 30 days' leave a year, and more if he gets sick. Under these conditions three firemen as a total can not do the work, and with only three allowed it is not possible to obtain reliable men at the low wage offered.

Similar reasons apply to the need for the present seven watchmen. The guarding of separate buildings containing astronomical apparatus, and valuable stocks of navigational instruments, from fire and theft, the work by night adjusting shutters to instrument houses, etc., and attendance at the telephone switchboard can not be adequately done under the reduction. Nor can the reduced number of laborers accomplish the necessary upkeep efficiently.

On page 23, line 22, the item of \$5,000 for miscellaneous computations in astronomy is stricken out.

"Miscellaneous computations" covers the pay of four to five computers, whose duty is to do the routine computing resulting from the observations made on the various instruments.

Of course, without the necessary computations the observations are valueless—

One (and sometimes two, as occasion demands) computes for the chronometer and time service. The higher class of computation work is done by the observers. The miscellaneous computation fund has remained stationary at \$5,000 since 1915 but covers less work than at that time, due to the impossibility now of obtaining workers at the 1915 rate of wages. The deprivation of this \$5,000 so slows the results obtainable from the observations as to throw the work seriously in arrears. Moreover, it removes the source of supply for juniors who act as assistants in the time service and at the instruments to fill temporary vacancies, and who must be relied on to fill the higher places later in life. The restoration of the sum for miscellaneous computations is vital to the production of astronomical results.

The amendments propose a cut of 30 per cent in the department of observations (astronomical), and the number at present employed is fewer than the work demands. The table shows the totals.

I ask to have the table printed in the Record at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

	1915	1922	Proposed by amendments.
Professors of mathematics (U. S. Navy).....	2	2	2
Astronomers.....	2	2	2
Assistant astronomers.....	3	3	3
Assistants.....	8	6	4
Miscellaneous computers.....	5	4	1
Time service.....	1	1	1
Librarian.....	1	1	1
Total.....	19	19	13

Mr. LODGE. As to the amendment on page 24, line 18, which reduces from \$6,500 to \$5,000 the appropriation "for cleaning, repair, and upkeep of grounds and roads," the following statement is made:

The Naval Observatory grounds are maintained as a park in the city of Washington. The roads are mostly for public use. Some are thoroughfares. Whether they can be satisfactorily maintained a credit to the Government for a less sum than hitherto remains to be proved. The larger sum is recommended.

Now, Mr. President, I wish to describe briefly the work of the Naval Observatory. I presume all Senators have seen it:

The Naval Observatory is a large and expensive plant in which the Government has a heavy investment. The purpose for which it was established is best served by utilizing a sufficient personnel to carry on the work efficiently. A less personnel causes, for the sake of a small assumed economy, a definite loss on the investment.

I ask the attention of the Senate to the following statement:

The product of the Naval Observatory is:

- (a) Time signals.
- (b) The Nautical Almanac (salaries in another special appropriation).
- (c) Astronomical observations for position of heavenly bodies (used for time signals, for Nautical Almanac, and for scientific investigations).
- (d) Navigation instruments for naval vessels and aircraft.

Such instruments are cared for and regulated at the observatory.

The time for the United States comes from the Naval Observatory. With time signals twice daily, by cooperation of the Naval Radio Service, the observatory is in communication with every naval vessel at sea in the Atlantic and also with thousands of merchant vessels. It gives them that exact time without which they can not safely navigate and without which, in war, location of rendezvous at sea would be impossible. By cooperation of the telegraph companies the time is flashed across the land at noon, and is of inestimable value to science, commerce, and the industries. This time service is acknowledged abroad to be among the best. Australia has used these time signals to determine State boundaries in longitude.

To insure the requisite accuracy in nautical almanacs requires continuous and numerous astronomical observations of the sun, moon, planets, and stars. This astronomy of position is the main business of the department of observations at the Naval Observatory and of a few observatories of other governments. The Naval Observatory carries on continuously the heavy and tedious labor of determining the accurate positions of the heavenly bodies and the fundamental astronomical constants upon which all investigations in astronomy depend. This is not work usually done by other than government observatories. The amount of such work now being done in the world is insufficient for astronomical needs. The quota expected from the United States should not be diminished.

I invite the attention of the Senate to the following comparison between the United States Naval Observatory and the Greenwich Observatory, England:

In the year 1920—the latest official data available—comparison with Greenwich Observatory, England, shows 16 observers and 14 computers there, the Naval Observatory at Washington having only 12 observers and 6 computers. Comparison of cost and output shows efficiency and economy. The meridian circle is one of the important instruments in astronomy of position. In 1920 Greenwich made 9,735 observations and the Naval Observatory 9,601. There are nine important astronomical instruments in operation at the Naval Observatory.

I shall not weary the Senate by reading the remainder of the description of the work of the observatory, but I ask that it may be printed in the Record as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

The star places now in use for the determination of time, longitude, and latitude are based on observations made 25 and more years ago. This observatory, as well as others, has a large amount of material available for the improvement of the star places. Such an improvement is being demanded constantly by astronomers, by the requirements of the time signals, and by survey work. Any curtailment of the present force of the observatory and almanac hinders the observatory in meeting the present demands for better modern star places, data which it is its distinct province to furnish. In other words, the data which the observatory will accumulate as one of the results of its observations from now on for the next 25 years will be the foundation for the next set of star catalogues. If the observations cease, this country will have no data available at that time and other sources of information must be sought.

A single program of astronomical work often takes many years to carry out. The kind of work done at the Naval Observatory requires a larger number of employees than the kinds of work done in many astronomical observatories. It is a difficult matter to recruit such personnel, as there are comparatively few to select from. The experience and training of these employees represent a considerable expenditure on the part of the Government. They are of recognized standing among the scientific men of the country and are well qualified to reflect credit upon the observatory and to efficiently and capably make the contributions which the world expects this Government to make to this important utilitarian branch of astronomy. They are underpaid, as can be seen from the Government scheme of reclassification.

The rating of chronometers and timepieces for naval vessels and aircraft and the repair and development of navigational instruments done at the Naval Observatory is correlated with the astronomical work. It is in the interest of economy to utilize the facilities and the talent there provided, and a large saving of costs results.

The administration of the material business of the Bureau of Navigation is handled at the Naval Observatory. Such material runs from a \$30,000 gyro compass installation in a dreadnaught to a toy balloon for measuring air currents. Timepieces, sextants, binoculars, and other portable instruments are held in reserve stock here. The clerical and storekeeping work is voluminous.

The foregoing is a general description of the principal work carried on in this establishment. Many of the activities attract little notice despite their essential value, and some are not well understood without close study. Visitors and inquirers are welcomed at the Naval Observatory.

Mr. LODGE. Mr. President, the principal business of the Naval Observatory of the United States is the "astronomy of position," as it is called. It is strictly utilitarian. Of course, great discoveries have been made there; but the activities of the observatory are not purely scientific; they are eminently utilitarian. The work of the observatory is of the greatest possible service to every railroad, to every merchant vessel, to every naval vessel, and to all the business of the world. I ask to print at this point a list of apparatus, and so forth.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list referred to is as follows:

A list of the principal astronomical apparatus and the principal work of each instrument is appended.

WORK ASSIGNED TO ASTRONOMICAL INSTRUMENTS AT THE UNITED STATES NAVAL OBSERVATORY.

Twenty-six-inch equatorial (Professor Hall and Mr. Bower): Observations of satellites of the planets for improving the tables given in the American Ephemeris and for determining the masses of the planets for improving the planetary tables. Occultations of stars by the moon for improving the lunar tables. Eclipses of Jupiter's satellites for testing uniformity of the earth's rotation period. Observations of asteroids and comets for determination of orbits.

Twelve-inch equatorial (Professor Hall, Mr. Peters, and Mr. Bower): Observations of bright comets and asteroids and occultations of stars by the visitors on the regular visitors' night.

Photographic equatorial (Mr. Peters): Observations of asteroids in a selected zone, for the purpose of keeping track of these objects and to furnish positions for improved orbits.

Photoheliograph (Mr. Peters): Daily photographs of the sun near noon for recording the sun spots and studying their relation to magnetic phenomena, electric storms, and auroras, including disturbances affecting telegraph and cable lines. The Western Union Telegraph Co. and Bureau of Engineering of the Navy Department are cooperating in this work. Telegraph and cable companies depend on results here to know when to take precautions against heavy induced currents, thus saving damage and expense due to destruction of their cables.

Six-inch transit circle (Mr. Hammond and Mr. Watts): Observations of standard stars, sun, Venus, and Mercury for the purpose of improving their positions—a series of approximately 50,000 observations extending over eight years is now completed. Its reduction is approaching completion and will soon be ready for publication. Determinations of time for the use of the time service in sending out daily time signals.

Nine-inch transit circle (Mr. Morgan, Mr. Burton, Mr. Pawling, and Mr. Raynsford): Observations of intermediary stars by which reference stars to be used in reducing photographic plates are to be determined, and in connection with this observation of standard stars, sun, moon, and planets. Present program was begun in 1913 and will be completed in two years.

Prime vertical (Mr. Hill): Observations of transits over the prime vertical for the determination of the nutation constant, the aberration constant, the variation of latitude; also the declinations of certain stars with especial reference to determining their proper motions. A series of observations extending over 19 years is completed and the results will soon be ready for publication.

Photographic zenith tube (Professor Littell, Mr. Wise, and Mr. Willis): Observations of stars very near the zenith for determining the variation of latitude and the constant of aberration of light. The variation of latitude, as determined by this instrument, is necessary for the reduction of observations made with the transit circles at this observatory. The observations for variation of latitude should be carried on continuously at this place.

Alt-azimuth (Professor Littell and Mr. Wise): Observations of standard stars and the sun for the improvement of their declinations. Long job, 10 years (2 years done).

Mr. LODGE. I think work of the character of that performed by the Naval Observatory ought to be done in the most efficient and accurate manner. It is done now with a higher degree of efficiency and at a lower cost than in any of the other observatories for which I have been able to obtain figures. I have taken, of course, Greenwich as the most famous observatory in the world.

I wish now to say a word about the Nautical Almanac Office. It is proposed in that case to strike out some of the assistants and greatly to reduce the very moderate amounts given by the House.

The duties of the Nautical Almanac Office are twofold: The publication of the annual volumes of the American Ephemeris—which gives the positions of the planets and is absolutely essential to navigation—and the Nautical Almanac, which, of course, as its name implies, is equally essential to every man who goes to sea. The safety of navigation depends on these publications.

The American Ephemeris and Nautical Almanac must be published and distributed prior to the beginning of the year to the navigators of ships, surveyors, and astronomers, in whatever part of the world they may be. This book is now a volume of 800 pages, 30 per cent larger than a few years ago.

Here is a point which I think the committee must have overlooked, and that is the agreement we have made with other nations to carry on this work.

Congress in 1912 authorized the exchange of data with foreign almanac offices—

With a view to reducing the amount of duplication of work in preparing the different national nautical and astronomical almanacs and increasing the total data which may be of use to navigators and astronomers available for publication in the American Ephemeris and Nautical Almanac.

A proviso was adopted providing for the employment of certain men in that work.

The arrangement thus authorized has been entered into with Great Britain, France, Germany, and Spain. It should be noticed that this arrangement had for its purpose increasing the information available for navigators and astronomers without increasing the expenses of the various national almanac offices. Any cut in the force immediately curtails the work that can be done in improving the tables of the planets, moon, and stars.

I think to economize on an international agreement of that kind is not only very poor economy indeed—for the amounts are trifling—but it is not living up to our agreements. I think we ought to live up to our agreements of that kind with other nations from whom we are receiving very valuable information. In short, Mr. President, I confess that I am surprised by, and I greatly regret, the amendments made by the Senate committee in regard to the Observatory and the Nautical Almanac Office. They are run with the utmost economy now. I am satisfied of that; in fact, it is demonstrated by the fact that the House accepted these amounts. They are run with great efficiency. To that I can testify from years of knowledge in regard to the work; and I wish very much the committee would be willing to consider those reductions again before taking a final vote.

Mr. DIAL. Mr. President, I should like to suggest to the Senator there that he might call the attention of the committee to the expense to which the Government has been put for carrying on this work for the last number of years.

From 1883 to 1915 it appears that there were 10 persons employed, with appropriations of from \$6,000 to \$8,600 for piecework.

From 1916 to 1920 there were 12 persons employed, with only \$3,000 appropriated for piecework.

From 1921 to 1922 there were only 11 persons employed, with \$1,500 for piecework.

Now the committee proposes to cut this down about a third more.

Mr. LODGE. I am very glad the Senator put in those figures. They are very illustrative. They show that there have been no increases here.

Mr. DIAL. The cut now is to a point about a third under the lowest amount there has been.

Mr. LODGE. Yes.

Mr. DIAL. The amount now is the smallest amount that has been appropriated in a generation for this great work.

Mr. LODGE. Yes; and the work is of such enormous importance, not only to the Navy—because there they take care, as I have said, of all the naval instruments, and regulate all the chronometers—but the observations and information furnished by the Nautical Almanac are the sailing directions of all our commerce, and are largely used by other nations. There are very few departments of work undertaken by the Government which have the general value that the Naval Observatory and the Nautical Almanac have to the business and commerce of the world.

There are few Senators present, and nobody has paid much attention to what I have been saying. That, no doubt, is my fault. I have not said it in a sufficiently fascinating way, I suppose; but I should like to appeal to the committee to let this matter go over and consider it a little further before they make these cuts, which are really trivial in comparison to the great sums which we are appropriating here—very properly, I think, for I am thoroughly in favor of the bill, and of all that we have done—but I dislike exceedingly to see these cuts voted. No increase is asked for. These are all reductions of the House appropriations. The total amount involved is very small, and it is reducing the appropriations for one of the most important branches of our Government service.

In connection with the amendments concerning the Nautical Almanac and American Ephemeris, I ask to have printed in the RECORD an official statement from the Superintendent of the United States Naval Observatory.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

NAVAL OBSERVATORY, June 13, 1922.

STATEMENT CONCERNING PROPOSED AMENDMENTS TO NAUTICAL ALMANAC APPROPRIATIONS FOR 1923.

H. R. 11228 (Rept. No. 762), in the Senate, April 20, 1922. (See pp. 24, 25.)

The following amendments are proposed by the Senate Appropriations Committee to the appropriations for the Nautical Almanac Office carried in the Navy Department appropriation bill as reported to the Senate June 10, 1922:

Strike out "one assistant at \$1,400, two assistants at \$1,200; for pay of computers on piecework, \$1,500." This is a cut of 33½ per cent in personnel.

The present civilian force of the office is 11 assistants, with the addition represented by \$1,500 for piecework. The present force is the result of reductions of 15 per cent made two years ago in the interest of efficiency and economy. The force is now less than it has been for a generation.

The table shows the force appropriated for in the Nautical Almanac Office for past years:

	1883-1915	1916-1920	1921-22
Number of assistants.....	10	12	11
Allotment for pieceworkers.....	\$5,000-\$8,600	\$3,000	\$1,500
Equivalent total expressed in terms of number of assistants.....	15	14	12

The present force is under the supervision and direction of a professor of mathematics (United States Navy), who is a theoretical and practical astronomer of ability and long experience.

The cuts in personnel contemplated will reduce the product of the Nautical Almanac Office to a damaging extent and injure the usefulness of the office and its international repute.

The duties of the almanac office are twofold—the publication of the annual volumes of the American Ephemeris and Nautical Almanac, and improving the tables of the planets, moon, and stars which are used in preparing the annual volumes.

The American Ephemeris and Nautical Almanac must be published and distributed prior to the beginning of the year to the navigators of ships, surveyors, and astronomers in whatever part of the world they may be. This book is now a volume of 800 pages—30 per cent larger than a few years ago.

On August 22, 1912, Congress authorized the exchange of data with foreign almanac offices—

"With a view to reducing the amount of duplication of work in preparing the different national nautical and astronomical almanacs and increasing the total data which may be of use to navigators and astronomers available for publication in the American Ephemeris and Nautical Almanac"—

"That any employee of the Nautical Almanac Office who may be authorized in any annual appropriation bill and whose services in whole or in part can be spared from the duty of preparing for publication the annual volumes of the American Ephemeris and Nautical Almanac may be employed by said office in the duty of improving the tables of the planets, moon, and stars."

The arrangement thus authorized has been entered into with Great Britain, France, Germany, and Spain. It should be noticed that this arrangement had for its purpose increasing the information available for navigators and astronomers without increasing the expenses of the various national almanac offices. Any cut in the force immediately curtails the work that can be done in improving the tables of the planets, moon, and stars.

Thus to use this international arrangement to economize on the working force, thus reducing the promised results, may be open to the criticism of not living up to our agreement with the foreign national offices.

Moreover, a large part of the data in the Ephemeris can not be computed until that in other parts are finished. Much of the data furnished to the foreign offices by the American office is of this nature and must await the receipt of data apportioned to be furnished from abroad. When these data are received, it is necessary for several months to put the entire present force of this office to work preparing the data to be sent abroad. A reduced force would be unable to prepare the data in time for publication.

Most of the foreign almanacs, as well as our own, obtain their data pertaining to the sun, planets, and stars from the tables prepared in the American Nautical Almanac Office.

The star places, now in use, for the determination of time, longitude, and latitude, are based on observations made 25 and more years ago. An improvement of these places is being demanded by astronomers, by the requirements of the time signals, and by survey work. This work of revision is now being carried on in the Nautical Almanac Office.

It is earnestly urged that the appropriations for the Nautical Almanac Office for the year 1923 be restored to the form in which they were when the bill passed the House.

Mr. POINDEXTER. Mr. President, the committee agree with the Senator from Massachusetts as to the importance of the work done at the Naval Observatory and in the Nautical Almanac Office in the preparation of the American Ephemeris; but upon the most complete information that was submitted to the committee which considered the bill they could not resist the conclusion that there are quite a number of supernumeraries employed in this establishment, which has grown up through a long period of years, some of these places being more or less sinecures. It is perhaps unavoidable that they should be so. When Senators look over the classes of employees, and consider the number of them, and see the reductions that have been made by the committee, it would be difficult, it seems to me, for anyone, even upon the very face of the provision, if he knew what this establishment was, to resist the conclusion that the reductions which have been made here will not interfere in the slightest degree with the conduct of this work.

For instance, the bill provides an astronomer, an assistant astronomer, two other assistant astronomers, an assistant in the department of nautical instruments, a chief clerk at \$2,000, a clerk at \$1,800, another clerk at \$1,600, two clerks at \$1,200, an instrument maker at \$1,500, an electrician at \$1,500, a librarian at \$1,800, a stenographer and typewriter at \$900, a foreman and captain of the watch at \$1,000, a carpenter, an engineer, and a mechanic. Those have not been interfered with at all. All those places have been left just as provided in the

House bill. In addition to those, the House bill carried two clerks at \$1,400 each, three assistants at \$1,600 each, and three at \$1,400 each. The only change that the committee has made is in allowing one clerk instead of two at \$1,400, two assistants instead of three at \$1,600, and two instead of three at \$1,400, reducing the total amount from \$56,400 to \$48,520.

As to the Nautical Almanac, the bill as it came from the House provided for one assistant in preparing for publication the American Ephemeris and Nautical Almanac at \$2,500, one at \$2,000, two at \$1,800 each, two at \$1,600 each, two at \$1,400 each, and three at \$1,200 each. The committee has left all of those, except that it has provided for one at \$1,400 instead of two, and one at \$1,200 instead of three, making a reduction from \$18,420 to \$14,620. We are informed by competent evidence that the work of preparing the Nautical Almanac and the American Ephemeris can be done just as competently with a reduced force as it can with those carried in the House bill, which is merely a formal matter brought over from the old establishment and the old appropriation from year to year; simply nobody has paid any attention to it or examined whether or not there were more people there than were necessary.

Of course, wherever you undertake to reduce a force you are going to meet with objection; it does not make any difference where it is. The persons who hold those positions will find some one to champion their cause, and, of course, we sympathize with them; but if they are competent men I judge there will be no difficulty in their finding places somewhere else. For instance, where they have four firemen in the Naval Observatory, we reduce them to three. The fireman who loses his job no doubt can be taken care of somewhere else.

Mr. LODGE. Mr. President, I want to say to the Senator on that particular point that that does not require scientific knowledge, although I think I know something about the value of the work done there. Here are 46 buildings and 62 acres. These four firemen have charge of the heating apparatus, which supplies, I think, 18 buildings, and they do a great deal of other work, plumbing, and so forth, which would have to be done outside if they were not there. For 46 buildings and 62 acres to be covered by 7 watchmen and 4 firemen does not seem to me excessive. I know perfectly well that I could not do it if I had 46 buildings to take care of. The result is that the buildings are not properly taken care of; then more money has to be spent in repairing them and in guarding them.

It seems to me that that is exceedingly moderate for such a large estate as that is; but, of course, that is not vital, I admit. You can go with shabby grounds and buildings out of repair and run the risk of fire and all that if you choose, but the work of the Nautical Almanac and the work of the Naval Observatory is essential, in my judgment, to the proper conduct not merely of the Navy but of all the railroads and all the ships that sail the seas, in which the United States is interested, and to the regulation of the chronometers on which the safety of those ships depends.

I have known a good deal about the observatory in past years. Nobody who is losing a place has been near me, let me say, but I have always taken an interest in the observatory, and I know it has not been a place for sinecures. On the contrary, they are a very hard-worked body of men, who have done a great deal of good work, and the test is in a comparison with Greenwich. With fewer men, they have made more observations and done more work, and I say that to cut down \$12,000 altogether in such an important matter as this is following a mistaken policy.

Mr. POINDEXTER. We should not overlook the fact that in addition to the five watchmen who are to be retained under the Senate committee amendment there is a captain of the watch, so that if the Senate committee amendment is adopted we would have a captain of the watch and five watchmen.

Mr. LODGE. It is very difficult to get first-rate men at the Government rates of wages, but if the Senator thinks that the place can be properly guarded with the watchmen and laborers allowed, and that the provision carried in the bill will insure the safety of the buildings and the care of the property, which is of very great value, which cost great sums of money, I am not disposed to dispute his judgment, but I think it most unfortunate to cut down, particularly in the matter of the Nautical Almanac and the American Ephemeris. To make these petty economies in this particular department of the Government does not seem to me to be right.

The PRESIDING OFFICER (Mr. BROUSSARD in the chair). The question is on agreeing to the committee amendment on page 23; which the Secretary will state.

The ASSISTANT SECRETARY. On page 23, line 10, the committee proposes to strike out "two at \$1,400 each" and insert in lieu thereof "one, \$1,400" and a comma.

The amendment was agreed to.

Mr. LODGE. I shall not ask for a roll call now, for I want to get the bill through, but when it gets into the Senate, when I hope we shall have a better attendance, I shall ask for a record vote on these reductions.

The next amendment was, on page 23, in line 13, after the word "assistants," to strike out "three" and insert "two"; in the same line, before the words "at \$1,400 each," to strike out "three" and insert "two"; in line 16, before the word "firemen," to strike out "four" and insert "three"; in the same line, before the word "watchmen," to strike out "seven" and insert "five"; in line 17, before the word "laborers," to strike out "eight" and insert "six"; and in line 18, to strike out "\$56,400" and insert "\$48,520"; so as to make the paragraph read:

Astronomers—one \$3,200, one \$2,800; assistant astronomers—one \$2,400, one \$2,000, one \$1,800; assistant in department of nautical instruments, \$1,600; clerks—chief \$2,000, one \$1,800, one \$1,600, one \$1,400, two at \$1,200 each; instrument maker, \$1,500; electrician, \$1,500; librarian, \$1,800; assistants—two at \$1,600 each, two at \$1,400 each; stenographer and typewriter, \$900; foreman and captain of the watch, \$1,000; carpenter, \$1,000; engineer, \$1,200; three firemen, at \$720 each; five watchmen, at \$720 each; mechanic, \$900; six laborers, at \$660 each; in all, \$48,520.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent and miscellaneous expenses, Naval Observatory," on page 23, line 21, to strike out "For miscellaneous computations, \$5,000."

Mr. LODGE. Mr. President, on that particular proposition I do wish to make a protest of the strongest kind. It is absolutely cutting down the work of the observatory. It is not getting rid of men; it is cutting off the work of the observatory, work which the observatory is established to do. If we do not have this appropriation for computations, the observations are valueless, and that is what the whole institution exists for. To cut off \$5,000 for miscellaneous computations is simply arresting and stopping the work of the observatory.

Mr. POINDEXTER. Mr. President, the committee is informed that the work can be done by the force available there under the Senate committee amendment, but if it should appear in conference that that is not the case the committee would be very glad to restore it.

Mr. LODGE. I got my figures from the head of the observatory, who is not affected by a single appropriation here, as he is an officer of the Navy, in charge of the observatory. I have talked with no one else, but I know enough about their work to know that cutting off the appropriation for computations is cutting off their right hand. I should like to know who it is who says that the work is not important, and that it can be done without this appropriation.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the committee. [Putting the question.] The yeas seem to have it.

Mr. POINDEXTER. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. BALL (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "yea."

Mr. EDGE (when his name was called). Making the same announcement as before, I vote "yea."

Mr. GLASS (when his name was called). Making the same announcement as on the previous vote, I vote "yea."

Mr. WATSON of Indiana (when his name was called). I transfer my general pair with the senior Senator from Mississippi [Mr. WILLIAMS] to the junior Senator from Nevada [Mr. ODDIE] and vote "yea."

The roll call was concluded.

Mr. STERLING. Making the same announcement as on the last vote, I vote "yea."

Mr. SUTHERLAND. Making the same announcement as on the previous vote with reference to my pair and its transfer, I vote "yea."

Mr. ERNST. I transfer my pair with the senior Senator from Kentucky [Mr. STANLEY] to the junior Senator from Oregon [Mr. STANFIELD] and vote "yea."

Mr. FRELINGHUYSEN. Making the same announcement as before, I vote "yea."

Mr. CURTIS. I desire to announce the following pairs:

The Senator from Rhode Island [Mr. COIT] with the Senator from Florida [Mr. TRAMMELL];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Mississippi [Mr. HARRISON];

The Senator from Maine [Mr. FERNALD] with the Senator from New Mexico [Mr. JONES];

The Senator from Maine [Mr. HALE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from Minnesota [Mr. KELLOGG] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Indiana [Mr. NEW] with the Senator from Tennessee [Mr. MCKELLAR]; and

The Senator from New York [Mr. CALDER] with the Senator from Georgia [Mr. WATSON].

The result was announced—yeas 33, nays 16, as follows:

YEAS—33.

Ball	Frelinghuysen	Lenroot	Sterling
Borah	Gerry	McKinley	Sutherland
Cameron	Glass	Newberry	Townsend
Capper	Harris	Overman	Wadsworth
Caraway	Heflin	Owen	Warren
Curtis	Jones, Wash.	Phipps	Watson, Ind.
Dillingham	King	Polindexter	
Edge	Ladd	Smoot	
Ernst	LaFollette	Spencer	

NAYS—16.

Broussard	Johnson	McNary	Sheppard
Bursum	Lodge	Pepper	Underwood
Dial	McCormick	Pomerene	Walsh, Mass.
France	McCumber	Ransdell	Willis

NOT VOTING—47.

Ashurst	Hale	Nelson	Shortridge
Brandegee	Harrell	New	Simmons
Calder	Harrison	Nicholson	Smith
Colt	Hitchcock	Norbeck	Stanfield
Crow	Jones, N. Mex.	Norris	Stanley
Culberson	Kellogg	Oddie	Swanson
Cummins	Kendrick	Page	Trammell
du Pont	Keyes	Pittman	Walsh, Mont.
Elkins	McKellar	Rawson	Watson, Ga.
Fernald	McLean	Reed	Weller
Fletcher	Moses	Robinson	Williams
Gooding	Myers	Shields	

So the committee amendment was agreed to.

The next amendment was, in the items for the Naval Observatory, on page 24, line 18, to reduce the appropriation for cleaning, repair, and upkeep of grounds and roads from "\$6,500" to "\$5,000."

The amendment was agreed to.

The next amendment was, under the subhead "Salaries, Nautical Almanac Office," on page 24, line 22, after the word "each" where it occurs the second time, to strike out "two at \$1,400 each, three at \$1,200 each," and insert "one \$1,400, one \$1,200," and in line 24 to strike out "\$18,420" and insert "\$14,620," so as to make the paragraph read:

For assistants in preparing for publication the American Ephemeris and Nautical Almanac—1 \$2,500, 1 \$2,000, 2 at \$1,800 each, 2 at \$1,600 each, 1 \$1,400, 1 \$1,200; assistant messenger, \$720; in all, \$14,620.

The amendment was agreed to.

The next amendment was, at the top of page 25, to strike out:

For pay of computers on piecework in preparing for publication the American Ephemeris and Nautical Almanac and in improving the tables of the planets, moon, and stars, \$1,500.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Engineering," on page 26, line 7, to strike out "\$12,100,000" and insert "\$14,795,000," so as to read:

ENGINEERING.

For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications, and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service; equipment, supplies, and materials under the cognizance of the bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; care, custody, and operation of the naval petroleum reserves; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, pay of classified force under the bureau; incidental expenses for naval vessels, navy yards, and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books, and periodicals, stationery, and instruments; instruments and apparatus, supplies, and technical books and periodicals necessary to carry on experimental and research work in radiotelegraphy at the naval radio laboratory; in all, \$14,795,000.

Mr. KING. Mr. President, may I inquire of the Senator having the bill in charge the reason for this great increase over the bill as passed by the House?

Mr. POINDEXTER. This is \$2,000,000 less than was urged by the Secretary of the Navy and Admiral Robison, chief of the Bureau of Engineering. The appropriation covers the maintenance of very valuable and complicated machinery of the entire fleet, also the care of the machinery and the delicate instruments in the ships which may be put out of commission or kept in ordinary under the plan and program laid out by the department in pursuance of the reduction made in the Navy in the limitation of armament treaty. It was con-

sidered by the committee that the increase made here, from the testimony, which was quite voluminous both before the House committee and the Senate committee, was a comparatively small increase, and probably less than the bureau really ought to have. But we made it less than was asked for by the department in the hope and in the belief that the efforts which are being made by Admiral Robison, and which are referred to in the report of the Senate committee, will result in economy and that the cost of supplies and labor may be somewhat reduced and that by cutting down the appropriation considerably below what the department asked, an additional incentive will be furnished for extraordinary economy. With that in view and in order that there might not be an absolute insufficiency of funds to maintain the machinery of the ships and at the same time that there should be an incentive for economy, we compromised with the department by giving the increase which we have provided and at the same time refusing \$2,000,000 requested.

Mr. KING. The explanation of the Senator is very clear and comprehensive, and I express my appreciation of the same, and yet I am not quite clear as to the reason for even the first amount. May I inquire of the Senator if there were any additional facts presented to the Senate committee over those which were presented to the House committee? The Senator stated, as I understood him, that the hearings were very extensive both before the House and Senate committees. I have read some of the hearings. The House went into matters more fully than did the Senate committee. I have no doubt the House committee evidenced just as great a desire to take care of the machinery and property of the Government as did the Senate committee. What reason did they have for limiting the appropriation to \$12,000,000?

Mr. POINDEXTER. There was this difference. In the first place, the Senate committee went more extensively into an examination of the question than did the House committee. There was a great amount of detail testimony from the chief of the bureau and other experts before the Senate committee. But in addition to that is the important circumstance that the figures in the House bill were based upon a Navy of 67,000 men, which was the proposed enlisted strength of the Navy provided in the bill reported to the House. As it passed the House, the House of Representatives increased the personnel 19,000 men, to 86,000, but there was no increase made in the appropriation by the House. There was an expectation there, I may say, if it is not inappropriate, that when the bill came to the Senate corresponding adjustments of the various appropriations for the bureaus to comport with the increase in the personnel would be made. That accounts to a large extent for the increase.

It was estimated by the chief of the bureau and the Secretary of the Navy that if only 67,000 men were allowed they would not be able to keep in commission the same number of ships that they would be able to keep in commission with 86,000 men. They figured that with 67,000 men they could only keep in commission 12 battleships, but with 86,000 men they could keep in commission the entire quota of 18 battleships allowed the United States under the international agreement. They figured they could only keep in commission some 80 destroyers. With 86,000 men they can keep in commission 103 destroyers, and so as to a number of other classes of ships, making a corresponding increase in appropriation for maintenance of machinery of the vessels.

Mr. WILLIS. Mr. President, I understood the Senator from Washington to say that the House increased the personnel of the Navy 19,000 men and yet made no increase whatever in the appropriation for the pay of those added numbers. Did I understand him correctly?

Mr. POINDEXTER. I said that in the item of engineering, and also in other items of the bill, except those of pay and provisions, there were no increases made. My understanding is that it was the expectation of those who were responsible and particularly interested in the bill that the Senate would make increases in the appropriations for the various bureaus, in addition to pay and provisions, to correspond with the increased number of men. The only items increased by the House of Representatives on account of the increase in personnel were the obvious items where an exact calculation could be made as to pay and provisions. Those items have had to be revised by the Senate committee—at least the Senate committee recommends the necessity for revising them—by reason of the change of law as to pay which had been enacted since the House passed the bill. But as to engineering, as to construction and repairs, as to maintenance of yards and docks, as to fuel and transportation, as to maintenance of supplies and accounts, as to ordnance and ordnance stores, and as to transportation and re-

cruiting no increase was made by the House of Representatives on account of the increase made in the number of men.

Mr. KING. The paragraph, beginning on page 25 and ending on page 26, is so confusing that it is impossible for one to read and determine just what branches of the naval service are included within it or just what property is to be cared for and repaired, and just what the expenditures call for are in detail. For instance, it states in line 7:

For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus.

The statement of the Senator from Washington would seem to indicate that the greater part of this nearly \$15,000,000 related to the care of delicate machinery which must be taken care of because some of the vessels are withdrawn from commission. Then we find included in this paragraph provision for—

Range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service.

I am not sure whether this is to purchase all these various classes of naval machinery or merely for their repair. Then reference is made to—

Care, custody, and operation of the naval petroleum reserves.

How much is to be devoted to the operation of naval oil reserves? Does that mean that the Government is to begin the development of the naval oil reserves, sink oil wells, construct pipe lines, and conserve the oil? If so, how much of the fourteen or fifteen million dollars is to be devoted to that purpose? There is nothing to indicate that. I do not know what part of the \$15,000,000 is to be devoted to the operation of the naval petroleum reserves. The able Senator from Wisconsin [Mr. LA FOLLETTE] a few days ago offered a resolution of inquiry and, as I remember, called for information from the Secretary of the Interior relative to one of the naval oil reserves in Wyoming. Is it contemplated that we shall appropriate for the purpose of opening that reserve?

I pause at this point to ask the Senator from Washington if he will kindly advise the Senate what part of the \$15,000,000 is to be devoted to the operation of the naval petroleum reserves referred to in line 21?

Mr. POINDEXTER. One hundred thousand dollars.

Mr. KING. Can that be used for some other purpose?

Mr. POINDEXTER. It could; but it is allotted and intended to be used for that purpose by the Navy. The appropriation, as the Senator will notice, follows invariably the form of appropriations under this head in being in a lump sum covering the various items which the Senator has mentioned, leaving to the department the segregation and allotment of the funds to the various activities in that bureau.

Mr. KING. May I inquire of the Senator whether it is the custom of the Navy Department, where figures are furnished upon which an appropriation is sought and the appropriation is made, to use the appropriation thus obtained for some other purpose than that for which it was designed by the committee and by the Senate?

Mr. POINDEXTER. My information is that that has not been the custom of the department, although that is sometimes done when an emergency arises. However, the custom of the department is to adhere with considerable strictness to allotment of funds which is set out ordinarily before the Appropriations Committee.

Mr. KING. Assume that no operations are carried on in the naval petroleum reserve, and that \$100,000 were not expended for that purpose, could that fund be devoted to some other purpose covered in this provision?

Mr. POINDEXTER. Under the law it could be; the law would permit it. It would be subject to the disposition of some proper use, under the language of that paragraph, but not beyond that, in the discretion of the Secretary of the Navy.

Mr. KING. I understand. Mr. President, it seems to me that this is a very improper way of legislating. I can appreciate that if there is a similitude, if I may be permitted that expression, of all of the items in a given paragraph, in case of the failure to devote the entire estimate suggested for a given purpose, it might be used for other items of the same character. For instance, if in a bill \$15,000,000 were appropriated for a battleship and the figures which were submitted to the Committee on Appropriations as the basis of the appropriation called for \$10,000 for a smokestack and \$5,000 for a stairway, and it should be discovered in the prosecution of the work that the staircase was not needed, I can understand that, perhaps, there would be no impropriety in utilizing the \$5,000 for some

other purpose in the construction of the ship; but to take that \$5,000 and use it to buy a motor boat or to acquire land or to buy supplies, would, in my opinion, be highly improper and would subject the department to criticism.

Mr. POINDEXTER. I agree with the Senator, but, taking the illustration suggested by him, it would be impossible to use the money for any one of the other purposes indicated. In this instance the appropriation could not be used for any purpose other than that provided under the heading of the appropriation and specified in the appropriation. For instance, the purchase of land or the purchase of supplies would come under an entirely different bureau and come out of an entirely different fund. None of this money could be used for any such purpose as that.

Mr. KING. Now, let me bring that matter home to the provision under discussion. The committee very wisely—and I will assume that the committee acted wisely because I have such confidence in them—under the evidence adduced felt constrained to add to this bill \$100,000 in a lump sum for the care, custody, and operation of the naval petroleum reserves.

Suppose Secretary of the Navy Denby, acting under information which comes to him and which he did not possess at the time that he or those under him appeared before the committee and solicited the appropriation, concluded that it would be unwise to utilize that \$100,000 for the development of the naval petroleum reserves; I submit that it would be highly improper for Secretary Denby or for any official of the Navy Department to take that \$100,000 and apply it to some other purpose; for instance, the payment of employees who might give their attention to some of the activities that are to be performed under the provisions of this paragraph. I think that it would be unfair; and that is the reason, it seems to me, that these bills are misleading to those who have not before them the estimates of the department. When we ask for the information and are advised that the department estimated \$100,000 for the development of the petroleum reserves, and the committee and the Senate vote for the \$100,000 in the aggregate, with the understanding that it will be utilized for that purpose, I submit that it is improper for it to be applied to some other purpose.

I do not know how we are going to remedy the situation, unless we should add to this bill a proviso that no part of the \$15,000,000 shall be used for any other purpose than that indicated in the specifications submitted by the Navy Department to the committee which became the basis of the aggregate appropriation of \$15,000,000.

I am unwilling to vote, Mr. President, for these shotgun appropriations, be they \$15,000,000 or \$5,000,000, which the committee were induced to put into the bill upon information submitted to them, with the understanding that the Navy Department may, if it wishes, cancel the appropriations with respect to some of the items mentioned and devote the amounts for which they asked to some other purpose within the scope of the paragraph.

I am sure that the able Senator from Washington, who is notoriously so fair and so judicial in his actions, in his conduct, and in his consideration of legislative matters, will agree with me; and I ask him if his committee, before the bill is passed, will not frame an amendment which will deal with this and other provisions of the bill in harmony with the views which I have suggested? If not, I shall ask for further information before I am willing to vote for the appropriation of this large sum.

Mr. POINDEXTER. Mr. President, I feel that the committee will be glad to give thought to the Senator's suggestion. I myself shall do so. I hope, however, that the Senator himself will give additional thought to the matter. His suggestion is a very radical one and would revolutionize the methods of administering the various departments of the Government. If the system which the Senator suggests should be applied to the Navy Department, no doubt it should be applied to all of the other departments.

Mr. KING. Exactly; I agree with the Senator.

Mr. POINDEXTER. We would have Congress as a legislative body undertaking to go into details and limiting expenditures in each bureau to a certain amount for every particular activity. Undoubtedly it would result, in many instances, in tying up the department and result in loss to the Government. Whether on the whole, in view of what the Senator has said, the country would lose or benefit if it may be the subject of speculation, but I doubt exceedingly whether it would be wise without an investigation.

If the Senator at some time would propose a complete inquiry into the subject governing the appropriations of Congress, it might serve a very useful purpose, but until such inquiry has been made, the expediency of undertaking to revolutionize the

method of making appropriations while we are in the midst of the consideration of an appropriation bill, upon the floor of the Senate, seems very doubtful.

Mr. KING. Mr. President, I appreciate that there is a good deal of merit in what my able friend has said, and yet I want him to view the other side of the shield. We have in this bill appropriations for Bremerton, for Mare Island, for San Diego, and for various other naval bases and stations. How did the committee reach the conclusion that \$250,000 or \$750,000 should go to Mare Island; that \$500,000 or \$600,000 should go to Bremerton; that \$250,000 should go to Norfolk; and that \$225,000 should go to Newport? They did it upon the testimony which was adduced before them, and they exercised their judgment based upon a full investigation. They did not vote for an appropriation of \$225,000 for Newport upon the theory that if the department later concluded to shut up Newport the \$225,000 could be transferred to Bremerton or Mare Island or to any other place. It seems to me that it is too clear for argument that there ought to be some limitation placed upon the power of the Navy Department to make transfers of appropriations thus provided in an omnibus bill.

Mr. POINDEXTER. Mr. President, the point suggested by the Senator is covered by the bill. It would be impossible where there are specific appropriations such as those he has mentioned to use them for any other purpose. They could not be transferred from the purpose specified in the law.

Mr. KING. Exactly.

Mr. POINDEXTER. That is true as to the general appropriation for the Bureau of Engineering. The items which go to make up the amount are not segregated in the proposed act; the whole appropriation is confined to engineering and can not be used for any other purpose. Furthermore, there is not a sufficient appropriation, in all probability, according to the testimony before the committee, to serve the actual needs of the Navy unless the utmost economy is exercised.

I may illustrate what the Senator has said about appropriations, for instance, by taking a naval station. If Congress makes an appropriation for Pearl Harbor and specifies that there shall be an extension of a machine shop, we would not go into details and provide how much shall be expended for the brick and how much shall be expended for labor and how much shall be expended for the roofing and the other different materials which enter into the building, and I doubt very much whether it would be wise to undertake to do that.

Mr. KING. I agree with the Senator.

Mr. POINDEXTER. There must be a point where, in the interest of efficiency, some discretion is left to the executive branch as to the expenditure of the money which is put in their hands, restricted by the general terms of the purpose for which it is appropriated.

Mr. KING. But, to carry out the illustration which the Senator has just given—and absolutely I agree with the Senator so far as he has gone—suppose the Navy Department had come before the Senator's committee and said it was necessary that there should be constructed at Pearl Harbor a house for the officers and a building for the storing of ammunition and a tower for radio purposes, and figured out that \$2,000,000 would be required for the various items presented to the committee; and the committee, instead of stating that \$200,000 should be appropriated for the officers' quarters, \$1,000,000 for the ammunition depot, and so on, had lumped the amount together and fixed the aggregate at \$2,000,000 for the construction of the radio station, the officers' quarters, and the depot, and after the Navy had made further investigations, and before the money had been expended, they concluded that they did not need as large a radio station or as large a depot for ammunition as they had contemplated, and that instead of a million dollars for the depot \$500,000 would be adequate. I deny that they would have the right to take the \$500,000 thus salvaged and apply it to the radio station; and yet that is what could be done under this bill and under the policies and methods heretofore pursued and employed.

Coming back to the paragraph before us, there is a provision—and the Senator has argued to us the importance of it—carrying \$15,000,000. He called our attention to the delicate machinery, the fine armament, and the fact that they must be preserved; and I agree with the Senator. He did not tell us, and I did not know until I read the bill carefully, that part of this \$15,000,000 was for the operation and development of the naval reserves.

If I had not examined the bill carefully, I would have supposed from the Senator's statement—and he made it frankly, and intended to make a full and complete canvass of the situation—that a part of the appropriation was for some other purpose than that indicated by the Senator. My point is that the

Navy Department would not have the right to use for other purposes in the bill that \$100,000 which they had asked for to open up an oil reserve. Is there any intimate relation between the oil reserve in Wyoming or in California and caring for the machinery, so that an appropriation for machinery and for the oil reserve would permit the interchange of the appropriation? Would it be right to use \$100,000 appropriated for the oil reserve for the purpose of building a gun, or to use \$100,000 appropriated for the purpose of building a gun for opening up an oil reserve, simply because both appropriations were stated in a lump sum and carried in the same paragraph?

Mr. POINDEXTER. Mr. President—

Mr. KING. I yield.

Mr. POINDEXTER. Of course, I did not undertake, in the general statement which I made of the purpose of this appropriation, to cover every dollar and every particular expenditure. I referred to the importance of maintaining machinery; and I call the Senator's attention to the fact that in the estimates which are given us, out of an allowance of \$14,795,000, \$12,061,323 comes under the head of "ship costs"—that is, the maintenance and repair of machinery on ships—so that, I think, substantially supports the statement which I made.

Mr. KING. Then the Senator concedes that they could not use the \$100,000 for the naval oil reserve for the construction of ships?

Mr. POINDEXTER. For the construction of ships? Certainly.

Mr. KING. For the purpose the Senator indicated—that \$12,000,000.

Mr. POINDEXTER. For the maintenance of the machinery of ships?

Mr. KING. Yes.

Mr. POINDEXTER. It could be used if the Secretary of the Navy sanctioned its use for that purpose.

Mr. KING. Though it was appropriated for the development of the oil reserve?

Mr. POINDEXTER. It is all appropriated for engineering. It is not appropriated for the development of the oil reserves. If it were appropriated for the development of the oil reserves by the terms of the law, it could not be used for any other purpose. The whole question which the Senator is arguing is whether or not it ought to be appropriated in that way. It never has been appropriated in that way. Of course, if it were, it would have to be used for that purpose.

Mr. KING. Suppose that the Navy Department had not said a word about the operation of the naval oil reserves, and had not asked for a cent of appropriation, would that \$100,000 have gone into this lump sum?

Mr. POINDEXTER. It would not have been taken into account in making up the total.

Mr. KING. It would have carried \$100,000 less, would it not?

Mr. POINDEXTER. Very likely it would.

Mr. KING. Then the Senator intends to permit the Navy Department to use \$100,000, if they want to, for a purpose for which it was not designed by the committee, and when they would not have made the appropriation if they had not understood that it would be devoted to the operation of the naval oil reserves.

The PRESIDING OFFICER (Mr. BALL in the chair). The question is on agreeing to the amendment of the committee.

Mr. KING. Mr. President, I wish the Senator would let this matter go over, and give me a chance, if the Senator does not frame an amendment, to do so; or, if the Senator will consent if I move to reconsider to-morrow in order to offer an amendment, that will be satisfactory.

Mr. POINDEXTER. Of course, if the Senator should desire to do so, I shall have no objection. I should like to get a decision on this amendment.

Mr. KING. With that understanding, I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 26, line 13, to strike out "\$1,675,000" and insert "\$2,048,000," so as to make the proviso read:

Provided, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, and messenger service in navy yards, naval stations, and offices of United States inspectors of machinery and engineering material for the fiscal year ending June 30, 1923, shall not exceed \$2,048,000.

Mr. KING. Mr. President, may I have the attention of the Senator from Washington? On line 7, \$14,795,000 was appropriated. The Senator will recall that in other parts of the

bill provisions are made—quite liberal provisions, I think—for clerical help, civil employees, and so forth; yet, out of this \$14,795,000, which ostensibly is for machinery, we allow \$2,048,000 for clerical help, drafting, inspection, and messenger service in navy yards, naval stations, and offices of United States inspectors of machinery and engineering material. It does seem to me that that sum, \$2,048,000, for clerical help and for messengers and for inspection, is entirely disproportionate to the sum appropriated for the purposes indicated. I ask the Senator if, from the testimony before the committee, he conceives that such a large proportion of the \$14,000,000 should be devoted to that end?

Mr. POINDEXTER. Mr. President, the Senator will observe that that is merely a limitation, that not exceeding that amount shall be used for the purposes which the Senator mentions. The most important element within that limitation is the services of draftsmen for machinery, a very high class of technical skill being required. High-priced men and a considerable number of them are necessary for the maintenance of the machinery in a fleet such as is provided for in this bill—18 battleships, various scout cruisers, and submarines, and auxiliary vessels that go to make up the fleet. The language of this limitation is simply an adoption of the ordinary language of appropriation bills. These matters have grown up from year to year through experience in the departments, and the language is retained in the form which Congress has been accustomed to use in making appropriations.

Mr. KING. Is it contemplated that under this section new machinery will be constructed?

Mr. POINDEXTER. No; not new machinery; but it contemplates repairs to old machinery.

Mr. KING. Will draftsmen of the high grade of which the Senator speaks be required for the repair work? The important feature seems to be clerical work.

Mr. POINDEXTER. For the machinery of new vessels under construction the drafting would be paid out of this appropriation, but not for the hulls.

Mr. KING. I have not the testimony before me, and so I am unable to state what it is. I take the word of the Senator. It seems to me, though, that it is a very large appropriation. This seems to be another exhibition of the absolute extravagance of the Navy Department, and if one tried to put his hand upon the many evidences of their extravagance he would be having his fingers extended all the time. This is one paragraph which, in my judgment, shows very great waste and extravagance on the part of the Navy Department.

The PRESIDING OFFICER (Mr. McNARY in the chair). The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, under the head "Bureau of Construction and Repair," on page 29, line 1, to strike out "\$14,200,000" and insert "\$16,200,000," so as to read:

CONSTRUCTION AND REPAIR OF VESSELS.

For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; steam steers, steam capstans, steam windlasses, and all other auxiliaries; labor in navy yards and on foreign stations; purchase of machinery and tools for use in shops; carrying on work of experimental model tank and wind tunnel; designing naval vessels; construction and repair of yard craft, lighters, and barges; wear, tear, and repair of vessels afloat; general care and protection of the Navy in the line of construction and repair; incidental expenses for vessels and navy yards, inspectors' offices, such as photographing, books, professional magazines, plans, stationery, and instruments for drafting room, and for pay of classified force under the bureau; for hemp, wire, iron, and other materials for the manufacture of cordage, anchors, cables, galleys, and chains; specifications for purchase thereof shall be so prepared as shall give fair and free competition; canvas for the manufacture of sails, awnings, hammocks, and other work; interior appliances and tools for manufacturing purposes in navy yards and naval stations; and for the purchase of all other articles of equipment at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; naval signals and apparatus, other than electric, namely, signals, lights, lanterns, running lights, and lamps and their appendages for general use on board ship for illuminating purposes; and oil and candles used in connection therewith; bunting and other materials for making and repairing flags of all kinds; for all permanent galley fittings and equipment; rugs, carpets, curtains, and hangings on board naval vessels, \$16,200,000.

The amendment was agreed to.

The next amendment was, under the head "Bureau of Ordnance," on page 30, line 21, to strike out "\$9,500,000" and insert "\$10,000,000," so as to read:

ORDNANCE AND ORDNANCE STORES.

For procuring, producing, preserving, and handling ordnance material; for the armament of ships, for fuel, material, and labor to be used in the general work of the Ordnance Department; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; for the maintenance, repair, or operation of horse-drawn and motor-propelled freight and passenger carrying vehicles, to be used only for official purposes at naval ammunition

depots, naval proving grounds, naval ordnance plants, and naval torpedo stations, and for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots; in all, \$10,000,000.

The amendment was agreed to.

The next amendment was, on page 31, after line 2, to strike out:

That no part of this appropriation or any other appropriation contained in this act shall be available for expenditure at the Naval Proving Ground, Dahlgren, Va., except so much as may be necessary to maintain the station on a closed-down basis.

Mr. FRANCE. Mr. President, this amendment, I think, will provoke some discussion, and I ask the chairman of the committee if he desires to proceed this evening with it.

Mr. POINDEXTER. It is the purpose of the committee to proceed for a little while longer, and then we expect to move an executive session. I prefer that course. If the Senator is not prepared to go on with this amendment now, I will consent to let it go over.

Mr. FRANCE. It is nearly 6 o'clock now, and—

Mr. POINDEXTER. I have no objection to passing over the amendment on the request of the Senator from Maryland.

The PRESIDING OFFICER. The amendment will be passed over.

The next amendment of the committee was, on page 32, line 25, to strike out "\$25,893,986," and insert in lieu thereof "pay, \$25,586,102; rental allowance, \$5,712,771; subsistence allowance, \$3,218,643; in all, \$34,517,516."

Mr. KING. I shall move to-morrow to reduce the personnel of the Navy, and it will affect the item under consideration. I have no objection to the amendment being agreed to to-night, if the Senator desires, with the understanding that I may move to reconsider for the purpose of offering my amendment. Is that agreeable to the Senator from Washington?

Mr. POINDEXTER. I understand the Senator agrees that we shall proceed with these items, and, of course, if the motion of the Senator from Utah to reduce the personnel should be agreed to, I would be very glad to consent to go back over it again.

Mr. KING. That is what I ask. I want to help the Senator expedite the passage of the bill as far as possible.

The amendment was agreed to.

The next amendment was, on page 33, line 2, after the words "retired list," to strike out "\$3,114,840" and insert "\$3,623,715"; and beginning in line 3 to strike out:

commutation of quarters for officers, including boatswains, gunners, carpenters, sailmakers, machinists, pharmacists, pay clerks, and mates, naval constructors, and assistant naval constructors, \$1,310,400; and also members of Nurse Corps (female), \$1,000.

The amendment was agreed to.

The next amendment was, on page 33, line 11, to strike out the words "or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops"; on line 17 to strike out "\$675,566" and insert in lieu thereof "\$944,689"; and on line 19 to strike out "\$5,981,900" and insert in lieu thereof "\$2,809,675," so as to read:

for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$20,000; pay of enlisted men on the retired list, \$944,689; extra pay to men reenlisting under honorable discharge, \$2,809,675.

Mr. KING. I did not know we had reached the item on lines 17 and 18. May I inquire of the Senator whether the Senate committee had any additional evidence before it which justified it in increasing the item of "\$675,566" to "\$944,689" for pay of enlisted men on the retired list? It seems to me that is a matter as to which there would be no difference. You would base it upon evidence submitted by the department, and the House and Senate ought to reach the same conclusion.

Mr. POINDEXTER. That is due to the change made in the law by the pay bill which has just been passed. The calculations are based upon that.

Mr. KING. Would there be a greater number of retired men or would they merely receive a larger sum?

Mr. WARREN. Both.

Mr. POINDEXTER. Of course the increase in the Navy will result in an increased number of retired enlisted men.

Mr. KING. I comprehend that.

The amendment was agreed to.

The next amendment was, on page 33, line 20, after the word "pay" to insert the words "and allowances."

The amendment was agreed to.

The next amendment was, on page 33, line 24, after the word "Corps," to strike out "\$62,108,534" and insert "pay, \$75,356,

780; allowance for lodging and subsistence, \$2,836,050; in all, \$78,192,830."

Mr. KING. The same situation has developed with respect to the item of \$78,192,830 as suggested a moment ago. If my amendment reducing the personnel of the Navy should prevail then a reduction would necessarily have to be made in this item.

Mr. POINDEXTER. On behalf of the committee, I ask unanimous consent to modify the amendment by striking out of the amendment, lines 1 and 2, on page 34, the words "allowance for lodging and subsistence, \$2,836,050; in all, \$78,192,830," for the reason that a mistake was made in putting this item under the head of "Pay of the Navy," the impression being that that was required by the new pay law. As a matter of fact, it should be retained under the head, "Provisions, Navy." It is a mere matter of its proper place in the bill.

Mr. KING. The Senator desires to remove it from this line?

Mr. POINDEXTER. I simply desire to transpose the appropriation of \$2,836,070 from the head "Pay of the Navy" to "Provisions, Navy," and when we reach "Provisions, Navy" I shall offer an amendment to insert the language there. I move to strike out of the amendment of the committee, as printed in the bill, in lines 1 and 2, on page 34, the language "allowance for lodging and subsistence, \$2,836,050; in all, \$78,192,830."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. POINDEXTER. I am very much gratified that we have made such good progress with the bill to-day, and I think perhaps it would subserve an expeditious conclusion of the bill if we would suspend its consideration at this time until to-morrow morning.

Mr. TRAMMELL submitted an amendment intended to be proposed by him to the bill, which was ordered to lie on the table and to be printed, and to be printed in the RECORD, as follows:

On page 65, line 14, after the word "purposes," insert the following:

That any officer of the Navy who has served four years as chief of a bureau in the Navy Department and shall be retired subsequent to the completion of such period of service for physical disability due to wounds inflicted by the enemy while in the performance of his duty shall be retired with the rank, pay, and allowances now authorized by law for the retirement of a chief of bureau."

DECISIONS OF UNITED STATES SUPREME COURT.

Mr. DIAL. Mr. President, I deplore the tendency of the times to criticize public men and public institutions in our country. It seems that our people—a great many of them, at least—have almost gone mad in trying to find fault with somebody.

A great deal of propaganda has gone out abusing the South for employing children in cotton mills. I do not propose to take up more than a moment or two of the Senate's time, but I expect to make a few remarks on this subject within a few days. This is done either intentionally, with a view of trying to injure our section and to injure the business of manufacturing, or it is done ignorantly. I notice in the papers almost every day some misrepresentations about this occupation. They are entirely unjustified and unfounded. I believe that there are child-labor laws in 46 States of the Union. We have stringent laws on the subject in my State, and no child under 14 years of age has worked in a cotton mill there for a number of years. The progress that we are making in that section is phenomenal. The improvements in education and in refinement and in living conditions are unsurpassed in any part of our Union. However, well-meaning people, I take it, or perhaps some fanatics, or members of this so-called "uplift" crowd who ought to be at work, are going around trying to disturb the public mind and trying to create dissatisfaction between employer and employee.

I have no patience whatever with any such procedure; and, as I say, it is unfounded in our part of the country, and absolutely unjustified. I deplore to see in an afternoon paper that a member of the Cabinet paid his respects to the Congress in no complimentary terms. I also deplore to see in the morning paper that a Member of Congress has so far forgotten himself as to abuse the Supreme Court.

Mr. President, I take it that the Supreme Court needs no defense at my hands; but I say if there is one institution in the United States that we ought to be proud of, it is the Supreme Court.

All the recent criticism of that court has been unfounded, uncalled for, and out of place; and if there is anything that we desire more than another, it is a perpetuation of the Constitution of the United States and of the Supreme Court. I only wish that other bodies besides the Supreme Court would act in as just a manner as they do, and in as courageous a manner.

It is startling, it is terrifying, to see the tendency of legislative bodies to follow the popular whim, whether it be right or be wrong.

Mr. President, I do hope that Congress at least will keep its equilibrium, and not run off at a tangent, following these false notions. It is time that we were calling a halt, and I hope that these matters will not receive serious attention. They should not even be introduced into this body.

I shall have more to say later; but I say that the Supreme Court of the United States and, in fact, all the courts in the United States enjoy and have enjoyed the confidence and the respect and the esteem of the people of this country. Even during the Civil War the decisions of the Supreme Court of the United States were unanimously respected and looked up to. So it is out of place, it is in poor taste, to criticize them now; and I feel that these criticisms come from people who are trying to disrupt our Government. Very recently the court has made some important decisions. I do not suppose that any first-class lawyer in the United States would question the soundness and the wisdom of those decisions; and I say that if there is one temporal thing more than another that we ought to pray for, it is the perpetuation of the Constitution of the United States and of the courts.

ORDER FOR RECESS.

Mr. POINDEXTER. Mr. President, I ask unanimous consent that when the Senate closes its business to-day it shall take a recess until to-morrow at 11 a. m.

The PRESIDING OFFICER. Without objection, it is so ordered.

OFFICE OF RECORDER OF DEEDS, DISTRICT OF COLUMBIA.

Mr. BALL submitted the following concurrent resolution (S. Con. Res. 26), which was considered by unanimous consent and agreed to:

Resolved by the Senate (the House of Representatives concurring). That a commission is hereby created, consisting of three Members of the Senate, appointed by the Vice President, and three Members of the House of Representatives, appointed by the Speaker, to investigate the needs of the office of the recorder of deeds for the District of Columbia, and to report not later than December 20, 1922, (1) what quarters, equipment, and facilities are necessary properly to care for and protect all records and papers in such office, and (2) what additional personnel, if any, is required to perform the duties imposed by law upon such office.

PROCTER & GAMBLE CO.

Mr. WILLIS. Mr. President, in his remarks yesterday the junior Senator from Louisiana [Mr. BROUSSARD] referred to the Procter & Gamble Co., of my State, as being interested in legislation relative to feedstuffs. I thought at the time he was mistaken. I have since ascertained that he was mistaken. I ask permission to have printed in the RECORD a telegram which I send to the desk stating the facts.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

CINCINNATI, OHIO, June 14, 1922.

HON. FRANK B. WILLIS,
United States Senate, Washington, D. C.:

Our attention called to press dispatch of Senator BROUSSARD in reference to tariff on blackstrap molasses. This company is not interested, and has taken no part whatever in connection with tariff legislation on this item.

THE PROCTER & GAMBLE CO.

EXECUTIVE SESSION.

Mr. POINDEXTER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened and (at 6 o'clock p. m.) the Senate, under the order previously entered, took a recess until to-morrow, Friday, June 16, 1922, at 11 o'clock a. m.

NOMINATIONS.

PROMOTIONS IN THE CONSULAR SERVICE.

The following-named persons for promotion in the Consular Service of the United States from interpreter at \$3,000 to consul of class 6, as follows:

Jay C. Huston, of California.
Norwood F. Allman, of Louisiana.
From vice consul de carriere of class 1 to consul of class 7:
H. Merle Cochran, of Arizona.
Joseph F. McGurk, of New Jersey.
Charles J. Pisar, of Wisconsin.
Louis H. Gourley, of Illinois.
James J. Murphy, Jr., of Pennsylvania.
George Wadsworth, of New York.

Orsen N. Neilsen, of Wisconsin.
Walter A. Adams, of South Carolina.
William W. Heard, of Maryland.
George A. Makinson, of California.
John L. Bouchal, of Nebraska.
Lynn W. Franklin, of Maryland.
George L. Brandt, of the District of Columbia.
S. Bertrand Jacobson, of New York.
Robert F. Fernald, of Maine.
Flo C. Funk, of Colorado.
V. Winthrop O'Hara, of Kansas.
H. Earle Russell, of Michigan.
William P. George, of Alabama.
Samuel R. Thompson, of California.
George T. Colman, of New York.
From interpreter at \$3,000 to consul of class 7:
Dillard B. Lasseter, of Georgia.
Harvey T. Goodier, of New York.

APPOINTMENT IN THE CONSULAR SERVICE.

Philip Adams, of Massachusetts, to be a consul of class 7 of the United States of America.

UNITED STATES DISTRICT JUDGE.

William H. Barrett, of Georgia, to be United States district judge, southern district of Georgia, vice Beverly D. Evans, deceased.

APPOINTMENT IN THE COAST AND GEODETIC SURVEY.

Arthur Watts Skilling, of Massachusetts, to be aid, with relative rank of ensign in the Navy, in the Coast and Geodetic Survey, vice F. E. Joekel, resigned.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY.

SIGNAL CORPS.

First Lieut. Harrison William Johnson, Infantry, with rank from July 1, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 15 (legislative day of April 20), 1922.

SURVEYOR OF CUSTOMS.

J. Howard Reed to be surveyor of customs, district No. 11, Philadelphia, Pa.

COLLECTOR OF CUSTOMS.

Joseph L. Crupper to be collector of customs, district No. 14, Norfolk, Va.

PUBLIC HEALTH SERVICE.

Ralph L. Lawrence to be assistant surgeon.
Edwin C. Sorenson to be assistant surgeon.

POSTMASTERS.

NORTH DAKOTA.

Lena L. Diehl, Dunn Center.

SOUTH CAROLINA.

Ida A. Calhoun, Clemson College.
Jean C. Sloan, Pendleton.

HOUSE OF REPRESENTATIVES.

THURSDAY, June 15, 1922.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, our heavenly Father, we bow at Thy footstool in the name of Him who was wounded for our transgressions. We will say of Thee, Thou art our refuge and strength; and with gratitude our hearts proclaim it. Let all the people praise Thee, O Lord. Preserve them from the perils of exaggerated and malicious speech. May our fellow countrymen move forward with constant pride and enthusiastic passion for the tenets of our great Government. Everywhere increase reverence for law and for those fundamentals established by our forefathers. In the questions of the day enable us to be wise, prudent, and reflective. Give us confidence in Thy truth, and help us to build upon the rock that can not be shaken. In the name of Jesus, our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE APPOINTMENT.

The SPEAKER. The Chair appoints as a member of the Committee on the Reorganization of the Executive Departments, to take the place of Mr. REAVIS, resigned, the gentleman from Washington [Mr. WEBSTER].

CALL OF THE HOUSE.

Mr. CRAMTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Michigan makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. MONDELL. I move a call of the House.

The SPEAKER. The gentleman from Wyoming moves a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

Andrew, Mass.	Driver	Kiess	Reber
Ansorge	Dunn	Kindred	Reed, N. Y.
Anthony	Dupré	Kirkpatrick	Reed, W. Va.
Arentz	Dyer	Kitchin	Robertson
Bacharach	Echols	Klecza	Robison
Barkley	Edmonds	Knight	Rosenbloom
Beck	Ellis	Kreider	Rossdale
Bell	Evans	Langley	Rouse
Bixler	Fess	Larson, Minn.	Rucker
Black	Fields	Lazaro	Ryan
Blanton	Fish	Lee, N. Y.	Sabath
Boies	Fitzgerald	Leibach	Sanders, Ind.
Bond	Focht	Linthicum	Schall, Minn.
Brennan	Fordney	Luce	Sears
Britten	Foster	McClintic	Shaw, Ill.
Brooks, of Pa.	Frear	McCormick	Shreve
Buchanan	Free	McLaughlin, Pa.	Siegel
Burke	Freeman	Madden	Sinclair
Burness	Fuller	Maloney	Smith, Idaho
Burton	Gahn	Mann	Snyder
Cannon	Gallivan	Mead	Stiness
Cantrill	Garrett, Tex.	Michaelson	Stoll
Carew	Gilbert	Mills	Strong, Pa.
Carter	Goodykoontz	Moore, Ill.	Sullivan
Chandler, N. Y.	Gould	Moore, Ohio	Summers, Wash.
Chandler, Okla.	Graham, Ill.	Morin	Swank
Clark, Fla.	Graham, Pa.	Mudd	Sweet
Classon	Greene, Mass.	Murphy	Tague
Cockran	Griffin	Nelson, Me.	Taylor, Ark.
Codd	Haugen	Nelson, J. M.	Taylor, Tenn.
Connell	Hayden	Newton, Minn.	Temple
Cooper, Wis.	Henry	O'Brien	Tilson
Copley	Hersey	O'Connor	Treadway
Crago	Hicks	Olpp	Tyson
Crisp	Hogan	Osborne	Underhill
Crowthier	Hooker	Padgett	Vare
Cullen	Hutchinson	Park, Ga.	Vestal
Curry	Ireland	Parks, Ark.	Volk
Darrow	Jacoway	Patterson, N. J.	Ward, N. Y.
Davis, Minn.	Jefferts, Nebr.	Perkins	Ward, N. C.
Deal	Jeffers, Ala.	Petersen	Wason
Dempsey	Johnson, S. Dak.	Porter	Watson
Dickinson	Jones, Pa.	Pou	White, Me.
Doughton	Kahn	Rainey, Ala.	Winslow
Drane	Kendall	Ransley	Wood, Ind.
Drewry	Kennedy	Rayburn	Woodyard

The SPEAKER. On this roll call 246 Members have answered to their names. A quorum is present.

Mr. MONDELL. I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

VIEWS OF MINORITY IN PAUL v. HARRISON.

Mr. HUDSPETH. Mr. Speaker, on behalf of the minority of the Committee on Elections No. 1, I ask unanimous consent that the minority be given until June 26 to file minority views. That agreement was had in the committee on yesterday.

The SPEAKER. The gentleman from Texas asks unanimous consent that the minority of Committee on Elections No. 1 have until June 26 to file minority views in the contested-election case of Paul against Harrison. Is there objection?

Mr. MONDELL. Mr. Speaker, of course that is not to interfere with the consideration of the case?

Mr. HUDSPETH. Yes; it is to interfere with consideration of the case before the 26th. By an agreement in the committee yesterday the minority were to be given until the 26th to file minority views, and it was understood that the case was not to be taken up before that time.

Mr. MONDELL. I have no idea that we will take it up, but I had not heard of any agreement.

Mr. ROSE. It was agreed in the committee that the minority might have 10 days in which to file minority views. The gentleman from Illinois [Mr. RODENBERG] made the motion in the committee.

Mr. MONDELL. All right.

The SPEAKER. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 11827. An act granting the consent of Congress to the county courts of Howard and Saline Counties, in the State of Missouri, to construct a bridge across the Missouri River.

The message also announced that the Senate had agreed to the amendment of the House of Representatives No. 1 to the bill (H. R. 10101) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1923, and for other purposes, with amendments, in which the concurrence of the House of Representatives was requested.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 3610. An act authorizing the construction of a bridge across the Ohio River near Steubenville, Ohio; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 8785. An act granting the consent of Congress to the Mobridge Bridge Co., of Mobridge, S. Dak., to construct a pontoon bridge across the Missouri River;

H. R. 11345. An act authorizing the construction of a bridge across the Allegheny River at or near Freeport, Pa.;

H. R. 11827. An act granting the consent of Congress to the county courts of Howard and Saline Counties, in the State of Missouri, to construct a bridge across the Missouri River; and

H. R. 10330. An act to extend the time for the construction of a bridge across Lake St. Croix at or near the city of Prescott, in the State of Wisconsin.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DUNN, indefinitely, on account of illness in his family (at the request of Mr. PARKER of New York).

To Mr. MONTAÑA, indefinitely, on account of important business.

PANAMA CANAL ZONE.

Mr. DENISON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 11872.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11872) to amend sections 7, 8, and 9 of the Panama Canal act; to amend sections 288, 289, 342, 343, 368, and 461 of the Penal Code of the Canal Zone; and section 2 of the Executive order of July 9, 1914, establishing rules and regulations for the opening and navigation of the Panama Canal and approaches thereto, including all water under its jurisdiction; to amend section 6 of an act entitled "An act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits," approved August 21, 1916; and to regulate divorces in the Canal Zone, and for other purposes, with Mr. LONGWORTH in the chair.

Mr. HUDSPETH. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. ALMON].

Mr. ALMON. Mr. Chairman, I do not care to talk about the bill under consideration to amend the Panama act. I suppose it is all right, but it is only chicken feed in comparison with the bill I am going to call to your attention for a few minutes. I want to talk about the offer of Henry Ford for Muscle Shoals. [Applause.]

The people back home and in every part of the country are complaining and are becoming dissatisfied about the delay of Congress in acting on the offer of Henry Ford for Muscle Shoals. Some of them seem to think that any Member of Congress can call this bill up and have it voted on at any time, but we know that such is not the case. We know that the Republican leaders, especially the Republican steering committee and the Republican members of the Rules Committee, decide which bills shall and which bills shall not be considered and

voted on. So I want to address my remarks especially to these leaders and the members of the committees I have referred to and urge them to allow the bill reported by the Military Committee providing for the acceptance of the offer of Henry Ford for Muscle Shoals property to be called up, considered, and voted upon.

This measure is neither sectional nor political; it is a great economical question, in which all of the people in every part of the country are most vitally interested. No other subject of legislation during this session of Congress has attracted such favorable and nation-wide interest. There is ten times more interest in this than there is in the tariff, the ship subsidy, or any other legislation pending in Congress. [Applause.] What answer could you give to the country and your constituents when you go back home if you refused to allow the House to vote on this question at this session? [Applause.]

You could not claim that it was for the want of time. We have plenty of time while we are waiting on the Senate to consider the bills which have already passed the House. You could not justify it on account of the amount to be appropriated. If the Ford offer is accepted, it will not cost the Government a penny in the end. Of course, under the provisions of the Ford offer the Government will advance about \$7,000,000 a year for the next six years to complete the water-power development, but the Ford Co. will pay 4 per cent interest as an annual rental on these amounts, and by means of a sinking fund and amortization plan repay the entire amount to the Government during the period of the lease. At the same time the dams and all equipment, which will be of immense value, will be the absolute property of the Government.

Besides this it will save the Government many millions of dollars in caring for the Muscle Shoals nitrate plants, which will be kept in an up-to-date running order by the Ford Co., and be available to the Government without expense for war purposes if ever needed.

We have been diligent in our efforts to enact legislation in the interest of the farmers; we have secured large amounts of national aid to rural roads; we have provided a system of farm-loan banks at a low rate of interest; we have revived the activities of the War Finance Corporation in order to assist the farmers in marketing their crops; we have recently enacted a cooperative marketing bill. We now have an opportunity to do something further by accepting the Ford offer and protecting the American farmers from further imposition by the Chilean and Fertilizer Trusts, who fix and manipulate the prices of fertilizer at their will without regard to the price of farm products or the financial ability of the American farmer.

There are 6,500,000 farmers in all parts of this country asking and urging Congress to accept the Ford offer. They are intelligent and know what it will mean for them. They represent an investment of \$80,000,000,000, by far the largest of any business, the next largest being that of railroading, with \$20,000,000,000 investment. The farmers are expecting Congress in this way to enable them to get from under the yoke of the Chilean Nitrate and Fertilizer Trusts.

Some one may say that there is no Fertilizer Trust. We all know that there is, but they are so smart that we might have trouble in proving it in the courts. They certainly have an agreement as to sales, prices, and distribution. When the price of corn, wheat, cotton, and other farm crops goes down the trust raises the price of fertilizer.

Do not let any Member of this House deceive himself by thinking that the interest in this bill is confined to the farmers in any section or limited part of this country. They are all interested, from Maine to California. The yield of wheat in some of the Western States has been reduced from 50 to 20 bushels per acre on account of depletion of the soil. If they do not all use fertilizer now it will not be long before they will have to, and will do so if they can get a good grade at a fair price.

Neither should you deceive yourselves by thinking that the interest in this bill is confined to the farmers. The Members of the House from the cities, as well as the rural districts, should help to get this bill up and vote for it. It will enable the farmer to double the production of cotton, live stock, and food crops, and reduce the cost of living. It will provide an increased demand for what the manufacturer and wholesale and retail merchants have to sell.

A few Members of this House from the city districts continue to make the mistake of voting against national aid to roads. Good roads improve the farms. When the farmer increases his production the cost of living in the city is reduced. You city Congressmen should run over each other to help get this Ford bill before the House and vote for it. [Applause.]

Do not worry about Mr. Ford not being able to make cheap fertilizer and do everything else at Muscle Shoals that he claims

will be done if his offer is accepted. Thomas A. Edison and other experts on the subject say that it is practicable. Henry Ford has always succeeded in everything he has undertaken. His business success is the marvel of the century. The people have faith in him and his big plans at Muscle Shoals, so let us give him a trial. [Applause.]

He does not want Muscle Shoals in order to make money; he has all and more than he needs. He wants to do something more for his fellow man. He wants to make fertilizer, automobiles, trucks, tractors, and aluminum ware cheaper than ever before so that people of limited means may be able to obtain these articles which ordinarily would be beyond their reach. [Applause.]

If his offer is accepted, he will give work at good wages to tens of thousands of people from every part of the country, many of whom are ex-service men, who are out of employment and who are waiting in breathless suspense for Congress to pass this great measure. [Applause.]

The Ford offer was made about a year ago at the invitation of this administration and was sent to Congress with other offers some five months ago, all of which were referred to the Military Committee of the House composed of 15 Republicans and 6 Democrats. This committee after four months of earnest, faithful, and hard work in the consideration of these offers, has reported a bill providing for the acceptance of the offer of Henry Ford and filed their report recommending its acceptance, and at the same time reporting that they did not consider any other offer as being worthy of serious consideration. While the report of the committee is not unanimous, still the full committee urges prompt consideration and disposition of this important question.

The issue is now made up with the great masses of the people in favor of the Ford offer on one side and the Chilean nitrate and fertilizer trusts and other selfish interests with their active and insidious lobby on the other. [Applause.] The Members of this House compose the jury to decide this issue.

In conclusion, I urge the Republican leaders of the House who have it in their power to have this measure brought before the House for decision to make provision promptly for a rule in order that it may be considered and voted upon.

Let the roll of the House be called, and let each Member answer "yes" or "no." If it is passed, the country will know who did it; if it is defeated, the country will know upon whom to place the responsibility. Give us a vote, and when this is done I hope and confidently believe that the last and final offer of Henry Ford, made on the 31st day of last month, will be accepted by a large majority. [Applause.]

Mr. HUDDLESTON. Mr. Chairman, how much time is there remaining?

The CHAIRMAN. The gentleman from Alabama has 25 minutes remaining.

Mr. HUDDLESTON. I yield 10 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. LONDON. Mr. Chairman, the recent decision of the Supreme Court with reference to child labor laws has again called attention to the fact that we have an unreformed house of lords as the supreme government. The first child labor act, passed by both Houses with very little opposition, and signed by the President, has been declared by a bare majority of the Supreme Court unconstitutional. The second child labor act has also been declared unconstitutional. The Constitution is undoubtedly one of the greatest documents ever framed by man, but it was framed in 1787, and no one can seriously contend that the mightiest intellects of the eighteenth century could have foreseen the problems that confront us to-day. More than 1,800 amendments have been offered to the Constitution since 1787. The first 10 amendments are practically an integral part of the original Constitution and can hardly be classed as amendments. The original document could not have been ratified if the promise had not been held out that the 10 amendments would be immediately adopted. Two minor changes were made up to 1804. Three amendments are the result of the Civil War. Of the four amendments adopted in our generation two amendments—the woman suffrage and the prohibition amendments—can also be traced to the war. There would have been no prohibition amendment if it had not been for the war, and the woman-suffrage amendment has been hastened by the new current of thoughts born of the war.

It is impossible to reconcile democratic institutions with an institution which permits a bare majority of one or two of a court consisting of nine members to override the will of the elected representatives of the people.

I have given a good deal of thought to this question. I share the opinion of those who believe that it was never intended that the Supreme Court should have the power to declare acts of Congress unconstitutional. Whatever the situation may be in that regard, the important thing before us today is to make the fundamental law of the land more flexible, more adapted to present conditions. It is proposed to offer an amendment to the Constitution to meet the objections of the Supreme Court in the child labor act.

Assuming that such an amendment after 15 or 20 years' agitation is adopted, the very adoption of the amendment permitting child-labor legislation will by implication be held to block other social legislation. The court will continue to nullify action by Congress and will prevent it from giving legislative expression to the wishes of the people. The stupendous economic and social changes of modern times emphasize the necessity of harmonizing the legal structure of society with its industrial needs.

The remedy lies in the direction of making the amendment provision of the Constitution more elastic, so that the Constitution should be a living organism, growing and expanding with the people.

The State of New York provides that a constitutional amendment may be adopted in the following manner: The amendment is adopted by the legislature, then it is proposed to the next legislature elected during a year at which senators are elected. Senators are elected in our State every two years. Then the amendment is submitted to the people, to a referendum, and if adopted it becomes a part of the constitution.

The present cumbersome method of changing the Constitution should be replaced by a simple and direct appeal to the people through a referendum, either upon the initiative of Congress or upon the initiative of a part of the people. In order to save the country from a general prevalence of contempt for the court, the court must not be put in a position where it will disregard the will of the people, where it will not set itself up against every progressive thought, where it will in the name of the dead past hinder the solution of living problems. Democracy is entitled to its faults, to its mistakes; democracy exercises its right to be stupid now and then, but democracy prefers to suffer from its own stupidity rather than from that of seven or nine men.

Mr. WALSH. Will the gentleman yield?

Mr. LONDON. I will.

Mr. WALSH. Is it the gentleman's contention that the only people who are bound by the Constitution are those whom they elect to office and who take the oath to support it?

Mr. LONDON. Those who are elected to office to represent the people have their constitutional obligations. Every one of us who has sworn to support the Constitution has honestly voted for the child labor bill, for example, in the belief that he was supporting the Constitution. Our conception of the Constitution, and the conception of the United States Senate of the Constitution, and the conception of the President of the United States of the Constitution shall not be overridden by nine men.

Mr. WALSH. The gentleman is not answering the question that I propounded. I am asking the gentleman if he believes the ordinary citizen is not just as much bound to support and defend the Constitution as the elected officials?

Mr. LONDON. Undoubtedly. I did not think that was the question, because that answers itself.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. MONTAGUE. Is it not the tendency of the times for members in legislative bodies, State and National, to pay less and less regard to the Constitution, and to pass all questions of constitutionality to the courts, the members of these legislative bodies thereby relieving themselves of their obligation, and impairing the highest and most solemn political morality? The Congress thus coerces the courts to pass upon such questions.

Mr. LONDON. But that is a most cowardly thing.

Mr. MONTAGUE. Of course it is. Congress is more blameworthy than the courts.

Mr. LONDON. The legislator who deliberately votes for a law knowing that the Supreme Court will declare it unconstitutional is false to himself and false to his oath.

Mr. HUDDLESTON. But is it not true that under our present system there is a great tendency to encourage the legislatures to ignore their obligations to the Constitution and to put the whole question up to the courts?

Mr. LONDON. Oh, when you permit the existence of an institution that is out of tune with the demands of the times the institution becomes a dead letter or an obstruction, and despite the prohibition of contempt it invites contempt. If it should be easier to amend the Constitution, it will become impossible for the legislator to evade responsibility and to throw the blame for defeating the will of the people upon the courts.

Mr. CLARKE of New York. Mr. Chairman, will the gentleman yield?

Mr. LONDON. In one moment. Let me illustrate this. We have now in session a convention of the American Federation of Labor, representing millions of law-abiding, organized workers, and the name of Chief Justice Taft, when mentioned, is hissed at that convention. When the Supreme Court sustained the income-tax law, the representatives of the plutocratic papers throughout the country condemned the Supreme Court in most vigorous terms. Most of the time, however, it is the progressive elements that are discontented, for the very simple reason that the decisions of the court are necessarily based upon the old past.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LONDON. Mr. Chairman, will the gentleman yield me a couple of minutes more?

Mr. HUDDLESTON. Mr. Chairman, I yield two minutes additional to the gentleman.

Mr. LONDON. I now yield to the gentleman from New York.

Mr. CLARKE of New York. Does not the gentleman think that part of these results could be attributed to the direct primaries, in that there are numbers of legislators who go to the different legislatures with the idea of perpetuating themselves instead of perpetuating American institutions?

Mr. LONDON. Those who advocate the abolition of the direct primary are advocating the abolition of one of the democratic methods of bringing the Government under the control of the people.

Mr. CLARKE of New York. But the records show, if the gentleman will permit, that not more than 20 or 25 or 30 per cent of the people at most are ever out at the primaries.

Mr. LONDON. The people should take more interest in the primaries, but because only 30 per cent of the people participate in the primaries, it does not follow that the whole question of nominating officials should be left to a clique of half a dozen men in a saloon in the city of New York.

Mr. WALSH. Sometimes there is a contempt on the part of the people for constitutional amendments that have been adopted and laws that have been passed under them. Would the gentleman have the effect of a law or a constitutional amendment based upon whether it is held in contempt by the people?

Mr. LONDON. I think that a constitutional amendment that is forced upon the people by the peculiar provision that we have now, an amendment that is adopted really in disregard of the wishes of the people—and the gentleman is probably referring to the prohibition amendment and the Volstead law—is artificial. It is adopted by two-thirds of the vote of Congress and three-fourths of the legislatures, but is not adopted by the people. There is not any doubt that there would have been no such amendment on a referendum. That is why I have proposed that constitutional amendments should be voted for by the people.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. HUDDLESTON. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. WARD].

Mr. WARD of North Carolina. Mr. Chairman, to my mind it is obvious that among the many questions with which the public mind is agitated no single one is hardly so acute to-day with the cultured and Christian thought of America as is the question, What will the nations do to relieve the shocking, harrowing butchery and slaughter of Christians in Armenia, and when will they do it, and what part will our Government take in it? Is the bloody battle-ax of the unspeakable Turk to hold its unchecked sway and wade on in Christian blood until there is no more Christian blood left for it to wade in? Or has the world an effective civilization, with a heart consecrated and an eye directed to the end and purpose of resisting this process? Will this great country, with its thousands of temple spires rising over Christian altars pretending to point the way to the Cross, its thousands of Christian schools strengthening and educating its Christian life and character, its countless millions of free-gift Christian offerings made to relieve suffering and to spread the gospel of peace and civilization, ever rise to "magnify its

office" and to do the plain duty of executing the public will by exercising itself to put a stop to it?

For myself, I do not believe that tariffs, subsidies, or bonuses, or any other political or economic questions rise to the level of this great humanitarian question in the public conscience of America to-day. My desk is somewhat laden with evidences of the correctness of my opinion, and no doubt is that of every Member of this Congress.

From an editorial in the *Living Church* of May 27, 1922, I take the following:

It is reported that Great Britain has invited the United States to join her, with France and Italy, in the appointment of an international commission to investigate the Armenian situation and the Turkish atrocities in the Near East.

Recognizing the embarrassments of the present administration over such an invitation, as we do, we yet earnestly hope that it may be accepted. The American people owe it to the world to cooperate in protecting the Christian populations of the Near East from the Turks.

From the Right Rev. Joseph Blount Cheshire, bishop of North Carolina, come to me resolutions adopted May 17, 1922, by the Episcopal Convention of the Diocese of North Carolina, calling upon our Government to—

aid the Christian nations of the world to put a stop to these relentless persecutions of these ancient peoples of God.

I have presented this resolution for its reference to the Committee on Foreign Affairs.

From an archdeacon in my State, of date June 1, 1922, comes the following appeal:

Will you not raise your voice in the House of Representatives on behalf of our persecuted Christian brothers in Armenia? Could there be a darker stain on our Nation's story than to sit by quietly while those long-oppressed people are handed back to the sovereignty of the brutal and despotic Turks?

From a presiding elder of the Methodist Church comes an equally strong appeal, which among others of equal moral and intellectual force have compelled the submission of these remarks. I have answered them all that they should be addressed to some Member or Members of the Congress nearer in touch with the administration, and especially to members of the Committee on Foreign Affairs of the House, of which I have not the honor to be one.

These evidences of popular concern and of righteous indignation have caused me to observe, as far as my opportunities permit, the attitude of the administration on this great question.

The history of the present situation rightly begins probably with the treaty of Sevres, which met soon after the Versailles conference, and in which our Government did not directly participate. At that treaty the so-called ruler of so much as had survived of the Turkish Government, having to do with the Armenian status, or his diplomatic representative, executed an agreement that the then President of the United States should arbitrate certain boundary lines, the settlement of which was intended to mark the limitation of Turkish tyranny and atrocity upon the Armenians. Thereupon soon followed surveys and investigations looking to the question of a mandate on the part of this Government over the Armenian territory and population. Those of Brigadier General Mosely and of Major General Harbord are replete with information (S. Doc. 281, 66th Cong.). On the 24th of May, 1920, President Wilson addressed to the Congress a message responding to an official communication from the Senate, which communication was in the form of a resolution adopted by the Senate. This resolution, directed primarily to the protectorate along the line of railroad from Batum to Baku, is interesting to the point of my remarks for its recital of the facts of the "reported massacres and other atrocities from which the Armenian people have suffered, and that the people of the United States are deeply impressed by the deplorable conditions of insecurity, starvation, and misery now prevalent in Armenia." It constitutes an acknowledgment and recognition of these facts by the United States Senate. In his message the President made mention that—

almost at the same time I received information that the conference of statesmen now sitting at San Remo, for the purpose of working out the details of peace with the Central Powers, had formally resolved to address a definite appeal to this Government to accept the mandate of Armenia.

Of great significance is one of the reasons given by that conclave of European statesmen for this request, to wit: "Because they believe that the appearance on the scene of the power emanated from the prepossession of the Old World will inspire a wider confidence and afford a firmer guaranty for stability in the future than would the selection of any European power."

Readiness to accept this great responsibility and argument in support of its wisdom and necessity was given to the Congress in that message in the President's characteristic strength of expression, but unfortunately, as I believe, the proposition was

emphatically repudiated by the Congress. Nothing, therefore, has come of the offer of the Turkish authorities to arbitrate the boundary line, nor of the suggested mandate in which the heart and soul of Christendom was so deeply involved. Persecutions, expatriations, atrocities, massacres, and butcheries have gone on and still continue. The appetite for blood and murder has grown on what it fed on, and rivers and waysides run red with Christian blood. Earlier evidences are contained in an article appearing in the *New York Times* on June 6, 1922, containing an interview with Dr. Mark H. Ward, of Suffern, N. Y., an American official of the Near East Relief, who has just returned from Harpoot, in which he relates facts, bringing them practically up to date. The human soul shudders and the blood runs cold at the reading of his recitals. I quote the following:

Doctor Ward told how men, women, and children had been forced by the Turks to toil over the roads, carrying such belongings as they most prized on their backs, until they fell exhausted. Between Sivas and Harpoot was counted 1,500 dead bodies.

This is recited here, Mr. Chairman, not to add to the horror of the evidence but to bring it up to date and to show that it is still not too late to do something.

Some time during the past winter the gentleman from Massachusetts [Mr. ROGERS], at the request of the office of the Armenian-American Society in New York City, introduced House Resolution No. 244. I submit a copy of it as a part of my remarks:

RESOLUTION.

Whereas the Armenians and other Christian peoples of Turkey continue in their evil plight and the refugees are unable to return to their homes; and

Whereas the evacuation of Cilicia, already begun, has brought calamity to the Christian population there; and

Whereas the humanitarian sentiment of the people of the United States is strongly enlisted in behalf of these Christian populations, for whom American relief has been generously given: Therefore be it

Resolved, That the President be requested to express to the de facto government at Angora the moral protest of the United States against the persecution of the Armenians and other Christian peoples; and be it further

Resolved, That the President be requested, if not incompatible with public interest, to take up with Great Britain, France, and Italy the question of calling a conference for the purpose of considering methods by which the Armenians may be given an opportunity to establish themselves as a nation.

On the 7th day of March, 1922, the Committee on Foreign Affairs of this House, to which this resolution was referred, held a hearing on it. There were present at the hearing Mr. Walter George Smith, president of the Armenian-American Society; Mr. George R. Montgomery, its director; Rev. Mihran T. Kalaidjian, pastor under the Congregational Home Missionary Society and officially connected with the Armenian-American Society; Mr. G. H. Papazian; Mr. Charles V. Vickery, general secretary Near East Relief; Rev. W. C. Emhardt, representing the presiding bishop and council of the Episcopal Church of the United States; and Mr. M. Vartan Malcom, of New York. A few extracts from the statements of these witnesses are submitted, bearing, first, upon the real conditions as now existing and the history of Armenian sufferings, to wit:

Question by Mr. COCKRAN. About how many of the population were left; what population is there now?

Mr. SMITH. I can only make a guess; there were at least 1,000,000 of them utterly destroyed.

Mr. LINDBERGER. A million massacred? Does that include battle casualties on both sides?

Mr. SMITH. I am not speaking of battle casualties; I am speaking of the actual massacres, estimated at 700,000, and those dying in deportation, estimated at 300,000.

Mr. COCKRAN. Were those massacres by troops or by infuriated people?

Mr. SMITH. By private persons—cutthroats and other persons among the Turks.

It is useless to continue recitals of these evidences of horror appearing by all the witnesses on this hearing. The current literature and news of the day is reeking with it, and the world stands aghast, astounded, and asking in despair, "Are governments useless or impotent? Is Christianity a failure, or is it afraid or too impotent to assert itself in a world of crime and lawlessness of these gigantic proportions?"

My remarks are intended to have a purpose and point beyond these recitals and beyond and outside of the things of the past, which the culture and Christianity of the world so much regret, that caused the Congress to repudiate the proffered mandate of the President. These things are water behind the wheel. They are gone, but I hope and believe not forever. I look for their return. The purpose of this speech is to ask—is to appeal—first, to the Committee on Foreign Affairs of this House; next, to the whole House; and next to the State Department, and on and on wherever an appeal can properly lie, for as early action upon the spirit of that resolution now pending before the Foreign Affairs Committee as is compatible with the possibilities of human action in governmental agencies. This resolution has been slumbering in the office of that committee now

for more than 90 days, while Christian blood still flows and murder and death horrify the world. Why should it not be reported out, is the question this speech is intended to ask. I am asking the question with official and personal respect to every member of that committee and to every agency of the Government higher up that may exercise its secret influence over its deliberations. I use this expression because I have been told by one who possibly knew, not a great distance from the committee room, that such influence was being exerted and the State Department did not want it reported. If this is so, it is my privilege to remark, "How wide the limit stands" between the policy of the State Department and the heart and soul of American Christianity and culture.

I know, Mr. Chairman, that governments of republics hardly less than those of monarchies have from time immemorial acted upon the doctrine that it will not do to let the people rule in the councils of international affairs. I am not disposed to subject myself to the charge sure to be made—of radicalism, demagoguery, and anarchy—far enough to assail this doctrine at this hour. Along its whole front it may have some strong intrenchments somewhere in the science of government and in human psychology. There may be something I do not see, some cause my limited experience has not revealed to me, why the people may be capable of exercising every other phase of self-government and be totally unfit to exercise this preeminently important one. It may be proper that far above the voice and touch of the great masses of mankind, whose hearts wring with anguish at such conditions, and who have been taught to think they had some sacred rights of direct interposition in the affairs of their Government, there should sit enthroned in a halo of sanctity and self-conceited wisdom a department having control exclusively of the Nation's foreign affairs. If so, it is a hard and disappointing thought to realize. It simply is not so. I do not know what reasons there may be acting upon this committee if not the influence above suggested, but I express the belief that there is one of an extraordinary character. As a committee composed of Members of the House of Representatives, in all respects, saving none, directly representing the people, I can not conceive of it that 90 days could pass after a recital before it of the facts it has heard, and that an appeal of the character which the hearings disclose would be refused action of some kind, giving its reasons for the same for this long a period, if there was not some cause controlling it which can not be appreciated beyond its secret councils. If this resolution is brought into the House with a favorable report, I venture the opinion that it will pass with practical unanimity.

Is it true that the prevailing view of international aloofness and exclusiveness from the touch of Europe growing out of the last election is the controlling cause? If so, I profess to represent the best sentiment of Christian culture of America in protesting against its application to this particular resolution. I know the popular vote of the election of 1920 is construed by this administration and all its supporters as a command to keep hands off of all the affairs of a struggling, suffering world if any of them are at the other end of an Atlantic cable. I protest against the correctness of that construction, but to quarrel with it now and here would detract from rather than add to the possibilities of any effect my appeal might have because there is hardly any limit to which partisan sensibility and consequent resentment may not sometimes go. I am protesting only against the application of the mandate of the American vote in the 1920 election to the case at bar—to the resolution to which I am speaking. Perhaps the committee asserts its justification in its view of the real effectiveness and the practicability of the resolution itself. Perhaps the controlling influence of the committee thinks the resolution impracticable and that it would accomplish nothing. To that argument I address myself, first, by the citation of some of the reasons given by some of the witnesses for asking for its adoption. These witnesses are of high intellectual and moral equipment. Their souls are consecrated to this great question.

They have studied it, consulted over it, and prayed over it, after all of which they have asked the gentleman from Massachusetts to introduce it. They are not committed with slavish adherence to the particular language of its text. They seek after its spirit. What, then, is its spirit? Its spirit is that this Government should make a "moral protest against the persecution of the Armenian and other peoples," and that with such force as it has frequently done in the past for similar causes and in similar instances; that it should take up with Great Britain, France, and Italy this question and, if thought good, call a conference for the purpose of jointly considering it. If there is harm and danger in this, then certainly this Government and its people are asleep over the crater of a volcano of which the people do not know and of which they are

entitled to be informed. By this I mean that if such a delicate, tender, and inoffensive action as this may have in it the possibilities of international embarrassment and serious complications, or if the probabilities of war would be involved in it, then certainly our condition is much more precarious and unfortunate than the people have imagined. If national diplomacy is so chary, cautious, and justly subject to alarm as this would indicate, then the sword of Damocles hangs over a people and a Nation of which I think they have no intelligent understanding. This is simply not so, and all the diplomats of all the nations will tell it in vain to an unbelieving world.

The people have not forgotten that, in the face of a world of nations armed to the teeth, Presidents Cleveland and Roosevelt made the hand of this Nation felt in matters much more potential and pregnant with danger than this matter can be, and that without war. Nor have they forgotten that Mr. Webster did not fear to undertake exactly the same thing.

Now, as to the question whether the resolution is properly withheld from the House by reason of any conviction on the part of the committee or its chairman that it is useless, ineffective, or impractical. It was introduced at the request of the only organization of gentlemen that has this question immediately in hand. This organization must enjoy in the largest measure the confidence of that class of the American public whose minds and souls are big enough and whose numbers are sufficient to reflect the character of America as a Christian nation. These people have contributed, as the hearing shows, more than \$63,000,000 since the armistice for the relief of Armenian suffering, to be applied through the agency of this society. Stronger evidences of public confidence could hardly be asked for. The officers of this society and their helpers have concentrated their conclusions upon the idea expressed in the statement of President Smith, as follows:

Now, what can you do, you ask me, gentlemen, in frankness. Is it to commit the United States Government to a change in its traditional policy? Not at all. We do not ask that. What I ask you to do is to set the seal of your approval upon the majority sentiment of the American people; that they look with anxiety and with the most marked disapproval upon this do-nothing policy of European powers.

Mr. COCKRAN. Supposing you get this resolution through for Executive action, what definite action can the powers, or any of them, take? Mr. SMITH. In my humble judgment, and I think the recent epoch-making events of the conference in Washington prove it all, all the armies in the world and all the navies in the world are not as strong as the moral influence of the world. The favorable sentiment of the American people is the best asset that any nation can have in the world to-day. It seems to me if the properly accredited representative of the United States Government—for instance, Admiral Bristol, the American high commissioner in Constantinople—were dispatched to Mustapha Kemal Pasha and told to say to him that the further destruction of Christian lives and property under his jurisdiction would be sternly punished, it seems to me it would stop in a moment. I can not doubt that the civilization of the world to-day depends upon the wisdom and statesmanship of the leaders of the American people, and if we fall back into the same cynical selfishness that has brought ruin on Europe, the civilization of the world may not be lost, but it is largely impaired. We come to you gentlemen asking not for a dollar of money or a gun or a bayonet, but we ask you as representatives of the American people to express officially what has been expressed unofficially from San Francisco to New York and from Portland, Me., to New Orleans.

From Secretary Montgomery I quote as follows:

If Congress would accept the resolution, we feel that it would be tremendously effective, because the great thing is to bring about an agreement among the European powers—Great Britain, France, and Italy.

As has been pointed out by Mr. Smith, and I think by some of the members of the committee, it is a fact that it is a disagreement among the powers that perpetuates the present condition and will continue the present condition, unless influence should come in from the outside, from the United States, as suggested here. We do not ask the United States to call the conference but simply to take up with Great Britain, France, and Italy the question of calling a conference. It becomes an offer of good will, of the use of good offices. If it could go so far that the conference would be called, the mere presence of the United States in that conference would serve to bring about a different attitude on the part of some of those powers. The mere use of its good offices by the United States would do a great deal toward settling in a right way the Near East matters. A European statesman who is in a position to know all the currents of European politics writes in a recent letter: "I am not in a position to judge whether there is the slightest hope of the American Government's intervening to assist all the devoted work which so many American subjects have carried on in Asia Minor. I believe that a decided action by Washington would change the whole situation in the most startling manner. I fear that I do not see what else could do so."

From Rev. Mr. Kalaidjian:

We appeal to you because the destiny of a Christian nation and the extinction or revival of Christian civilization in Armenia will depend on America raising its voice in behalf of Armenia, and I believe it will be heard in the chancelleries of Europe and bear good results. This morning in reading the paper I read that the foreign ministers have a conference in the Near East on the 20th of this month.

If this Congress should pass a resolution and the executive branch of the Government could participate in that conference, I am sure, without a battleship, without spending a dollar of American money, without any soldiers, our moral influence will be enough to bring harmony and union among the allied powers. We have no doubt that if Congress will adopt this resolution the Armenians will live and have a new lease of life.

Says Mr. Secretary Vickery:

I would rather have traveled through central Anatolia with the protection of American citizenship papers than to travel with a bodyguard of soldiers of any other country. I have this feeling about the thing. I am not in favor of any armed intervention. I do not think armed intervention is necessary. I said in 1919 a person could have traveled anywhere in Turkey with no other or better protection than American citizenship, but I believe that if to-day the so-called great powers, the civilized powers, including America, would agree on what is right and say these are rights approved by international law and we propose to stand by the principles of international law, that without the firing of a gun or the loss of a drop of blood this whole thing could be righted by moral force, economic forces, commercial forces, and diplomatic procedure. It requires somebody who will stand for what is right.

I am not authorized to express the opinion of any member of the committee, but I draw my own deductions favorable to this resolution as to some of them from questions submitted to the witnesses. First is that of Mr. MOORE of Virginia, whose opinion stands in value second to none among the membership of this House:

Mr. MOORE. To be specific in this resolution, as I understand it, there is no expression for the employment of force ultimately, but what you desire is to enlist the persuasive influence of this Government?

Mr. SMITH. Exactly.

Mr. MOORE. Exactly as that influence was exerted in the House of Representatives under the leadership of Mr. Webster when it passed the resolution with reference to the situation then existing in Greece. In that situation the Greeks were being oppressed and murdered by the Turks.

After some colloquy, Mr. MOORE says:

Mr. MOORE. The point I am making is this, that the House of Representatives has never hesitated to express itself with reference to such a condition as exists now in Armenia. You are not asking for any independent action by the House or Congress. You are only asking the House of Representatives to pass a resolution bringing this matter in a respectful way to the attention of the executive department.

From interrogatories by Mr. COOPER, of the committee:

Mr. COOPER. Is it not true that the indignant protests, a forceful protest of the American people, supposedly the most independent and most powerful and most disinterested on this question of any in the world, sent to European officials, without any threat of physical force in contemplation, would have a tremendous effect in rousing public sentiment in continental Europe on that question?

Mr. SMITH. I have no doubt of it.

Mr. COOPER. And no Government over there can withstand public opinion any more than our Government?

Mr. SMITH. Absolutely not.

Mr. COOPER. Now, then, if this would do or tend to accomplish that, would it not be a very beneficent purpose to attempt?

Mr. SMITH. At any rate, it would be doing all that we can do at this time.

Here are expressions of the purpose of this resolution and of opinions as to its utility, proceeding from a source which must commend it to a respectful consideration, and if I am not misinterpreting the mental drift of members of the committee, there is respectable sentiment on the committee favorable to the disposition of the resolution and believing in its effectiveness. And yet the coffin lid of hope is nailed upon it for more than 90 days. Mr. Chairman, this is not a quarreling nor a fault-finding speech. "What private griefs men have, I know not," and what honest opinions men entertain are only for me to respect, but I am not to agree with them nor surrender to them nor fail to protest against them when they infringe my own and the moral sensibilities of the world, and that the withholding of this resolution, the failure to report, the failure of the State Department to respond in a proper and an effective way, which I know it can do, to the righteous demands of the Christian people of the Nation, do offend the moral sensibilities of the world, I do not for a moment doubt. The only position, so far as I can know, of this Government in this matter is set out in the following:

[For the press.]

DEPARTMENT OF STATE, June 3, 1922.

ANATOLIA.

The Secretary of State to-day announced that the United States Government is prepared to join in a proposed investigation of the reports relating to the deportation of Christian minorities in Anatolia and the alleged atrocities connected therewith. The Secretary of State made the following statement:

"On May 15, 1922, a note was received from the British ambassador referring to reports of the renewal of the deportation of Christians by the Turkish authorities at Angora, and the alleged atrocities connected therewith, and communicating a proposal of the British Government that the American, British, French, and Italian Governments should at once depute carefully selected officers to proceed to such places in Anatolia as might best enable them to conduct an appropriate investigation.

"In a subsequent memorandum of May 19 the British ambassador indicated that the Turkish deportations and outrages might lead to retaliatory action in territory held by the Greek forces and suggested that the Government of the United States should join in requesting the authorities functioning in Greece to permit the dispatch of officers to regions under Greek occupation.

"In answering these communications the Secretary of State has said that the situation of the Christian minorities in Turkey has enlisted to a marked degree the sympathies of the American people and it has been noted with deep concern that the work of benevolent and educational institutions in Turkey has steadily been hampered, that the rights which American citizens have long enjoyed in Turkey in common

with the nationals of other powers have often been disregarded and the property rights and interests of Americans and other foreigners placed in jeopardy.

"In view of the humanitarian considerations which are involved and of the desire of this Government to have adequate information through a thorough and impartial investigation of the actual conditions prevailing in Anatolia, in order that this Government may determine its future policy in relation to the authorities concerned, the President is prepared to designate an officer or officers to take part in the proposed inquiry.

"In informing the British Government of the foregoing the Government of the United States has made it clear that the proposed action is limited in scope to an inquiry to obtain accurate data as to the situation in Anatolia for the information of the Governments participating therein and has stated that this Government assumes no further obligation and enters into no commitment.

"In order to expedite the inquiry it was at the same time suggested by this Government that officers should be designated by the respective Governments to institute inquiries concurrently in the districts respectively under Greek and Turkish occupation, and that these two commissions, upon the completion of their investigation, should unite in a comprehensive report."

If anything in human life, official or unofficial, can be more pitifully weak, impotent, and ineffective than this response it is hard to conceive of it. The agreement to designate an officer to take part in an inquiry is sapped of all its vitality and vigor by the emphatic assurance—

that this Government assumes no further obligation and enters into no commitment.

Certainly the President sees hobgoblins, ghosts, and demons. With him and the Secretary of State—

"Tis now the very witching time of night, when churchyards yawn and witches walk and bandogs howl and hell itself breathes out contagion to the world.

If the world is this full of ghosts, it is not known outside the State Department.

For nearly 400 years Armenia has been the object of the affectionate sympathy of the Christian world, and naturally so. Its persecutions commenced to horrify the world during the fourteenth century. At its highest peak in its history it represented a population of 20,000,000. Decimation, persecution, murder, and rapine have so depleted its ranks and scattered them to the four winds of the heavens that 3,000,000 souls are about all that can be found on the face of the earth to-day. The last six years, three of war and three of nominal peace—and three times more in the latter—have witnessed the butchery and destruction of a million five hundred thousand of them. They are a wonderful people—the superior of all the Asiatic and eastern European peoples industrially, intellectually, and religiously. They have always made valuable additions to American citizenship and assimilated the principles of our Government with remarkable adaptability. They have always been intuitively Christian. The world storms of paganism and Mohammedism have swept over and around them in vain. Like a consecrated sentinel they have stood through the Dark Ages of a dark continent, holding high the cross. Out of this wonderful history of Christian loyalty, coming down the corridors of time from the very feet of the apostles, there is handed down a beautiful tradition, of which I had never heard until I saw mention of it by one of the witnesses in the hearings to which I have above referred. I think it ought to be more generally known, whether accepted or not. Mr. Montgomery said:

Armenia was the first nation officially to adopt Christianity, with all that that act involved in a pagan world. Dickran was King of Armenia and was supposed to have been in Urfa, and in a letter he sent an invitation to the Christ, when he knew that He was being persecuted in Jerusalem, to come up there and take refuge, or at least to visit them. The reply of Christ was that it was impossible for Him to come, but that He would arrange to send some of His disciples up there. That was in the year 31 A. D.

Mr. Chairman, whether this tradition is true or not its existence shows the record of Christian loyalty through all the long history of the nation. If, sir, there is a spiritual life there is a spiritual accountability, and if a spiritual accountability there is a spiritual responsibility, and if it is individual it is no less collective. If men live by it and die by it then nations stand by it and fall by it. That responsibility, as sure as we live to-day, is enjoined upon this Government of ours to come out in the open light of day before the open eyes of an anxious world and intervene in behalf of murdered Christianity. If the Christ to which the beautiful tradition attaches lives to-day, as we believe He does, He enjoins that responsibility on this Government, but it can not be doubted that between Him and the Armenians somewhere the connecting cord of human responsibility is broken, and for myself I believe it is broken here in Washington. [Applause.]

Mr. HUDDLESTON. Mr. Chairman, I yield two minutes to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER of Ohio. Mr. Chairman, I am absolutely opposed to the policy of the United States Shipping Board in permitting the sale of intoxicating liquors on American ships. We

are told that the present Shipping Board has inherited this policy from their predecessors, but I believe this practice should be stopped. When the merchant marine bill comes before the House I shall support an amendment to the bill which will make it illegal beyond question to sell liquor on vessels operated under the American flag.

The continuation of the present policy does, in my opinion, justify the charge that "Uncle Sam" is engaged in bootlegging. Our Constitution prohibits the sale and manufacture of intoxicating liquor within the United States and its Territories, and yet we have the disgraceful condition of our Government-owned ships sailing under the protection of our flag, upon which the spirit, if not the letter, of the constituted law of the land is being openly violated. Is it any wonder that the people of Europe say that Americans are not sincere in their efforts to enforce prohibition, when they observe the spirit of the Constitution being violated on our own Government-owned ships?

No one will deny that the lawbreaker and bootlegger in our own land will be encouraged to carry on his work by reason of the policy of the Shipping Board, for it places the Government in the position of admitting its inability or unwillingness to enforce its own laws. Our Government can not afford to permit this condition to continue, and the Shipping Board has no more right to permit liquor to be sold on Government-owned ships operated under the American flag than the moonshiner and bootlegger at home has to dispense his poison bootleg whisky and raisin jack. The law of our land should follow our flag wherever it goes, whether on land or sea. [Applause.]

Mr. HUDDLESTON. Mr. Chairman, I now yield to the gentleman from Maryland [Mr. GOLDSBOROUGH].

Mr. GOLDSBOROUGH. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUDDLESTON. Mr. Chairman, I yield the remainder of my time to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman, I want to talk for a minute this morning and direct the attention of this committee to what is being done with the subject on which we very emphatically expressed ourselves when the tariff bill passed this House. It will be remembered that in Committee of the Whole we adopted an amendment placing a tariff on hides. Then the proposition was made to place what was called a compensatory duty on shoes and other manufactured leather products. That was defeated, and then the tariff on hides when we came back into the House was defeated, because the leather manufacturers were determined to have compensation if they had to carry a tariff on hides. What has been done?

The other body has reported, and I understand it passed, a portion of the bill placing on the hides of cattle of the bovine species 2 cents per pound. Take a 30-pound hide, and 2 cents a pound is 60 cents. Now, it was stated here in the debate in the committee that a 30-pound hide makes 10 pairs of shoes. That is 6 cents a pair of shoes, is it not? If you put 60 cents on a hide that will make 10 pairs of shoes, that makes 6 cents on a pair of shoes. Let us see what they do for the fellow that makes the shoes and the fellow that wears them. It says:

Boots and shoes, made wholly or in chief value of leather made of hides of cattle of the bovine species, 12 cents per pair and 5 per cent ad valorem.

Every time you put 6 cents on raw material that a manufacturer of leather goods uses he wants 12 cents on his product, and that is what he is getting. You put 6 cents on the hide that goes into a pair of shoes and they put 12 cents on the shoes, but they do not stop there. They want to be dead sure they get the worth of the money. Twelve cents a pair and 5 per cent ad valorem. Here is the farmer who plows and wears brogans. He goes to buy them, and they say they are \$3, and they add 12 cents and then 5 per cent ad valorem, which is 5 per cent of \$3. Fifteen cents and 12 cents make 27 cents. In other words, they add 9 per cent to the price of his shoes; that is, the farmer who plows and wears a cheap shoe. Some of us wear \$12 shoes. I have had to pay that for mine, but I dislike to admit it. There are lots of people who pay more. But take a \$12 shoe. They add 12 cents and then 5 per cent, which is 60 cents, and which is the total of 72 cents to his shoes, which is 6 per cent of the price. In other words, 6 per cent is added to the price for a man who wears expensive shoes, and 9 per cent to the price for the fellow who works in the trench or plows in the field. You can very readily see where they land. Of course on the cheap shoe they pay but 6 cents in the tariff on the hide. They have made 21 cents profit on it.

Mr. WINSLOW. Will the gentleman yield?

Mr. STEVENSON. I can not. I know this shoe pinches a man from Massachusetts.

They have put this on, and they go out—

Mr. WINSLOW. Will the gentleman yield?

Mr. STEVENSON. If the gentleman is so anxious, I will yield.

Mr. WINSLOW. I want to ask you if you will be kind enough to make a concrete example, based on mathematics, to illustrate what will happen with that 6 cents, and 12 cents, and 5 per cent, because it is pretty difficult for people to understand it in any other form.

Mr. STEVENSON. If the gentleman is through, I can give him an illustration. Here is a farmer who wears brogan shoes, and when he goes to buy shoes they add 27 cents to a pair of shoes. That is concrete. That is 9 per cent of the cost. I have added it up, too. I can not do it twice. If you have a man who buys a \$12 pair of shoes, they add 60 cents and 12 cents, and they charge the man who buys the shoe 72 cents.

Mr. WINSLOW. Will the gentleman kindly extend his mathematics concretely in the Record?

Mr. STEVENSON. I will do it. I never have run away from a statement that I made on the floor of the House. If the gentleman can not understand it, I can not furnish him with understanding. Here is what the proposition is. Here is a man that buys cheap shoes, and he has got to pay a higher rate in the shape of a tariff tax than the man who buys the higher priced shoes. Are you going to meet some of your people that way this fall? If so, I would like to meet you jointly on the proposition. This is a discrimination between the poor man and the rich man, and you can not get away from it. Let us see what you propose to have. On a \$12 pair of shoes they pay 6 cents tariff on the hide, according to the statement made here. On the plea of getting a compensatory duty they have added 72 cents, being 66 cents to the profit.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That section 7 of the Panama Canal Act, approved August 24, 1912, is hereby amended to read as follows:

"Sec. 7. That the Governor of the Panama Canal shall, in connection with the operation of such canal, have official control and jurisdiction over the Canal Zone and shall perform all duties in connection with the civil government of the Canal Zone, which is to be held, treated, and governed as an adjunct of such Panama Canal. Unless in this act otherwise provided, all existing laws of the Canal Zone referring to the civil governor or the civil administration of the Canal Zone shall be applicable to the Governor of the Panama Canal, who shall perform all such executive and administrative duties required by existing law. The President is authorized to determine or cause to be determined what towns shall exist in the Canal Zone and subdivide and from time to time resubdivide said Canal Zone into subdivisions, to be designated by name or number, so that there shall be situated one town in each subdivision, and the boundaries of each subdivision shall be clearly defined. In each town there shall be a magistrate's court with exclusive original jurisdiction coextensive with the subdivision in which it is situated of all civil cases in which the principal sum claimed does not exceed \$300, and all criminal cases wherein the punishment that may be imposed shall not exceed a fine of \$100, or imprisonment exceeding 30 days, or both, and all violations of police regulations and ordinances and all actions involving possession or title to personal property or the forcible entry and detainer of real estate. Such magistrates shall also hold preliminary investigations in charges of felony and offenses under section 10 of this act and charges of misdemeanor in which the punishment that may be imposed is beyond the jurisdiction herein granted to the magistrate courts, and commit or bail in bailable cases to the district court. A sufficient number of magistrates and constables, who must be citizens of the United States, to conduct the business of such courts shall be appointed by the Governor of the Panama Canal for terms of four years and until their successors are appointed and qualified, and the compensation of such persons shall be fixed by the President, or by his authority, until such time as Congress may by law regulate the same. The rules governing said courts and prescribing the duties of said magistrates and constables, oaths and bonds, the times and places of holding such courts, the disposition of fines, costs, forfeitures, enforcements of judgments, providing for appeals therefrom to the district court, and the disposition, treatment, and pardon of convicts shall be established by order of the President. The Governor of the Panama Canal shall appoint all notaries public, prescribe their powers and duties, their official seal, and the fees to be charged and collected by them.

"Appeals in civil and criminal cases are hereby authorized from the judgments and rulings of the magistrate courts to the district court under the rules and regulations prescribed by section 6 of Executive order of March 12, 1914, relating to the Canal Zone judiciary: *Provided, however,* That there shall be no right of appeal in criminal cases, except in those cases wherein the defendant has been sentenced to jail or has been fined in amount exceeding \$25."

Mr. BLAND of Indiana. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Illinois [Mr. DENISON] a question or two relative to the hearings on this bill. I have the hearings that are supposed to be all the hearings, at least all that I could get from the Committee on Interstate and Foreign Commerce, and which purport to be on H. R. 8409. I notice in the gentleman's report that a number of bills heretofore reported to the House on the same subject mat-

ter refer to the hearings set out in this pamphlet that I hold in my hand. In this pamphlet I notice that the district attorney of the Canal Zone comes before the committee and explains the provision of H. R. 4809, which was introduced long before this bill was introduced and contains no provision in it about the abolishment of the United States marshal's office in Panama. I notice further that a letter there by Secretary Weeks does not refer in any way, although it discusses the bill in detail, to the subject of abolishing the United States marshal. And then, in the hearings we find the statement by Governor Morrow, favoring the bill, and it does not say anything about the abolishment of the United States marshal's office. Outside of the testimony of the district attorney and the statement of Governor Morrow, I do not find anything of any value so far as the hearings are concerned. Now, as to the bill containing the provision that would abolish the United States marshal, what witnesses, if any, came before the committee and testified?

Mr. DENISON. Well, Mr. Chairman, of course the provision in regard to the United States marshal does not appear in this particular section of the bill. I would not want to go into a discussion of that question at this time. I would prefer that the gentleman postpone that question about the marshalship until we reach the provision of the bill relating to it.

Mr. BLAND of Indiana. It has a bearing upon the subject matter in this section. The things taken up in this section were taken up in the hearings, and yet nothing was said in those hearings in regard to the abolishment of the United States marshal. What witnesses appeared before the committee advocating the abolition of the United States marshal's office?

Mr. DENISON. Mr. Chairman, of course, I have explained this matter to my friend from Indiana [Mr. BLAND] privately, but if he wants me to explain it in the Record, as he doubtless does—

Mr. BLAND of Indiana. Certainly; I want the Members to understand it.

Mr. DENISON. In the beginning of this session I filed a bill, known as H. R. 4809, which covers part of the subject matter of the pending bill. During the former Congress there were several bills filed by the members of the Committee on Interstate and Foreign Commerce of the House, and I remember that two of them particularly were filed by Mr. Esch, then the chairman of the committee. These bills were filed and hearings held on them by the committee.

Mr. BLAND of Indiana. Neither one of them contained this provision, did it?

Mr. DENISON. Hearings were held on them by the committee, and they were ordered reported to the House. That was near the close of the former Congress. But they were not reached, and Congress adjourned. Then, in the beginning of this Congress, Mr. Esch not being on the committee any longer, similar bills were filed by myself upon this subject, amending the Panama Canal act and other legislative acts relating to the Canal Zone.

Now, afterwards it became advisable, in my judgment, to have a new bill to take the place of H. R. 4809, in view of the hearings we had on that bill, so as to include in the legislation certain changes which the committee had decided upon after the hearings on H. R. 4809.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BLAND of Indiana. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Indiana moves to strike out the last two words.

Mr. DENISON. If the gentleman will yield further, I will continue my statement.

Mr. BLAND of Indiana. I wish the gentleman would answer the question I asked him.

Mr. DENISON. There were four bills pending, and the committee had before it the hearings on former similar bills, and we did not feel justified in asking that the witnesses should come to the United States from Panama to testify upon a matter on which they had already testified before the same committee, so that the committee used those hearings on the former bills and the information which the various members of the committee had gotten personally when visiting on the Canal Zone.

Mr. BLAND of Indiana. What witnesses?

Mr. DENISON. One of them was Governor Harding. He was the former Governor of the Canal Zone. I do not know who they all were now, but at any rate the committee had those hearings before them, and the committee thought that they had sufficient information to enable them to act upon these bills.

Now, in addition to the testimony of Governor Harding we had communications from the present governor, and we had communications from the present Secretary of War, who is charged with the administration of affairs in Panama. Now, let me state for the benefit of my friend from Indiana that in none of these bills was there any provision about abolishing the office of marshal, but after we had concluded the hearings and after those bills had been reported the Secretary of War called our attention to the fact that a special investigating committee had made an investigation of the Canal Zone and had recommended that this office of marshal be abolished. Therefore he sent a communication to the chairman of the committee and asked that one of the bills be amended so as to make that provision.

Then, when the time came recently to take up these Panama bills, as I explained the other day when we had the bill up for consideration, as a matter of expediency it was decided by the committee to combine all four of the bills in one, and in doing that we embodied in the combined bill the provision with reference to the marshal as it had been recommended and urged by the Secretary of War.

Mr. BLAND of Indiana. Then, you had no one suggesting the advisability of abolishing the office of United States marshal in Panama except the letter of the Secretary of War. Is that right?

Mr. DENISON. Mr. Chairman, I have made my statement, and I thought I had made it very clear. I do not intend to discuss that question further now, but will do so when we come to it.

Mr. BLAND of Indiana. The gentleman refuses to answer that question. Will the gentleman answer another one? The Federal judge of the zone has been here recently. Did you ask him anything relative to the abolition of the office of United States marshal in Panama? Did you ask him concerning it? Did he testify?

Mr. DENISON. He did not.

Mr. BLAND of Indiana. Did you ask him anything on the subject?

Mr. DENISON. I am not testifying now.

Mr. BLAND of Indiana. The district attorney of the Panama Canal was here, was he not? Did you ask him anything about this subject? No; and he did not testify anything on the subject at all. The Attorney General of the United States, Mr. Daugherty, appointed the United States marshal. Did you inquire if he was in favor of having the office abolished? The gentleman does not answer.

Mr. WINGO. Mr. Chairman, will the gentleman yield for a question?

Mr. BLAND of Indiana. I shall be glad to yield.

Mr. WINGO. Is the gentleman in favor of discharging this marshal because Mr. Daugherty appointed him?

Mr. BLAND of Indiana. I am in favor of consulting the man who appointed him, when he is under the jurisdiction of the Department of Justice. It is shown here that the Secretary of War wrote a letter to abolish the office. They have it in the bill. Of course, there were military fellows about him, and the men who went down there to make an investigation recommended the discontinuance of the marshalship, and that man who was the master mind of the commission was General Connor, and you know that there is a Bourbon military man who has the military notion on all subjects.

Mr. WINGO. What reason does the Secretary of War give for wanting to abolish the office of the marshal?

Mr. BLAND of Indiana. He says the police can do it, and that they have not much to do, and that they can appoint deputies. They will have enough additional policemen down there to more than treble the amount of salary paid. But why not have a United States marshal down there to carry out the edicts and orders of the Federal court?

The CHAIRMAN. The time of the gentleman from Indiana has expired. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

SEC. 2. That section 8 of the Panama Canal act is hereby amended to read as follows:

"Sec. 8. That there shall be in the Canal Zone one district court with two divisions, one including Balboa and the other including Cristobal; and one district judge of the said district, who shall hold his court in both divisions at such time as he may designate by order, at least once a month in each division. The rules of practice in such district court shall be prescribed, amended, or repealed by order of the President.

"(b) The said district court shall have jurisdiction of—

"All felony cases under the laws of the Canal Zone;

"All offenses arising under section 10 of this act;

"All cases in equity;

"All cases in admiralty;

"All cases of divorce and annulment of marriage;
 "All cases at law involving principal sums exceeding \$300;
 "All appeals from judgments rendered in the magistrates' courts;
 "All matters and proceedings not otherwise provided for which at the time this act took effect were within the jurisdiction of the Supreme Court of the Canal Zone, the Circuit Court of the Canal Zone, the District Court of the Canal Zone, or the judges thereof; and
 "In addition to the jurisdiction now specifically conferred on it by certain acts of Congress, the said court shall have jurisdiction of offenses under the criminal laws of the United States when such offenses are committed upon the high seas beyond the territorial limits of the Canal Zone, on vessels belonging in whole or in part to the United States; or any citizen thereof, or any corporation created by or under the laws of the United States, or of any State, Territory, or District thereof, and the offenders are found in the Canal Zone or are brought into the Canal Zone after the commission of the offense: *Provided*, That this provision shall not be construed to deprive district courts of the United States of any jurisdiction now provided by law. The procedure and practice in such cases shall be the same as in other criminal cases tried under the laws of the Canal Zone.

"The jurisdiction in admiralty herein conferred upon the district judge and the district court shall be the same as is exercised by the United States district judges and the United States district courts, and the practice and procedure shall be the same as in the United States district courts.

"(c) The judge of the district court shall provide for the selection, summoning, and serving of jurors from among the citizens of the United States, subject to jury duty, to serve in the division of the district in which such jurors reside; and a jury shall be had in any civil or criminal case originating in said court on the demand of either party. The compensation of jurors shall be prescribed by order of the President.

"(d) The said district judge shall receive the same salary as is allowed to United States district judges, and when holding court away from home shall be allowed the same mileage and per diem as is allowed to United States district judges; he shall appoint the clerk of said court, and may appoint one assistant clerk and such other additional help as the President may authorize; all of such officials and help shall receive such compensation as shall be prescribed by order of the President.

"(e) During the absence of the district judge or during any period of disability or disqualification from the sickness or otherwise to discharge his duties, the same shall be temporarily performed by a special judge, to be designated by the President, which designation may be made by cablegram or otherwise, and who shall be an attorney at law qualified to practice before the courts of the Canal Zone or any of the United States district courts or any of the superior courts of any State, Territory, or possession of the United States, and who during such service shall be paid at the same rate of compensation and the same mileage and per diem as that paid the district judge of the Canal Zone.

"(f) There shall be a district attorney for said court, who shall be paid a salary of \$5,000 per annum.

"It shall be the duty of the district attorney to conduct all legal proceedings, civil and criminal, for the Government, and to advise the Governor of the Panama Canal on all legal questions touching the operation of the canal and the administration of civil affairs.

"Effective 60 days from the passage of this act the position of marshal is hereby discontinued, and the duties of marshal of said court shall be performed by the chief of police of the Canal Zone, and such members of his force as he may deputize for that purpose, with the approval of the court.

"It shall be the duty of the chief of police, and his deputies designated for that purpose, to execute all process of the court, preserve order therein, and do all things usually incident to the office of marshal.

"(g) The district judge and the district attorney shall be appointed by the President, as heretofore, by and with the advice and consent of the Senate, for terms of four years each, and until their successors are appointed and qualified; they shall reside within the Canal Zone during their term of office, and shall be allowed six weeks' leave of absence each year with pay, under such regulations as the President may from time to time prescribe."

Mr. ROGERS. Mr. Chairman, I move to strike out the last word. In the course of general debate there was reference made by the gentleman from North Carolina [Mr. WARD] to Armenia. I suppose there is no Member of this House who does not share the feeling that the conditions in Armenia and the plight of the Armenians present one of the most lamentable and deplorable things to be found anywhere in the history of civilization, and certainly the most lamentable and deplorable condition existing anywhere in the world to-day. The gentleman from North Carolina alluded to the fact that some months ago I had introduced a resolution on the subject of Armenia, and regretted the fact that the Committee on Foreign Affairs had not taken affirmative and favorable action on the resolution, or something like it.

I did introduce such a resolution, and hearings have been held thereon. At those hearings many facts of importance as to conditions in Armenia and the Near East were brought out. At the time when the Committee on Foreign Affairs was very seriously considering whether a report of some kind should be made we learned, as it was our business to learn, that the executive branch of the Government was directly interesting itself in the Armenian question, and hoped in some tangible and specific way to show that interest. I suppose that we should all agree that this problem is primarily and in the first instance an executive rather than a legislative one; that is, these questions involve the conduct of the foreign relations of the United States and must be dealt with from the other end of Pennsylvania Avenue, in most cases, and perhaps in all cases, rather than at this end of the Avenue. In my judgment the Congress of the United States is pretty apt to make a grievous mistake

when it undertakes to dabble in international questions of this general character—resolutions of sympathy and the like. They properly belong to the Executive.

So when the Committee on Foreign Affairs learned of the program of the Executive it suspended its operations; while it has not taken any action and will not take any negative action on the resolution, it will probably take no favorable action.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. ROGERS. I will.

Mr. MOORE of Virginia. The gentleman introduced the resolution, which meant the assumption that Congress might very properly act, and that was done last year. The hearings were completed, as I recollect, on the 7th of March. I may say in commenting on the last remarks of the gentleman that the committee has never heard that there has been any suspension of the purpose to go on to a final conclusion, and certainly the minority members never have heard of it.

Mr. ROGERS. I will say frankly that there has been no formal action looking toward suspension. I thought and a good many thought, as I am advised—and certainly there was no partisan element in the question—that if the State Department was to be active concerning the Armenian question there was not the same occasion for us in Congress to proceed.

It is with reference to the program of the Department of State that I wish to address myself for a moment. The Secretary of State on the 3d of this month gave out a statement to the press concerning his program and the administration's program in reference to Armenia. That statement in substance announced that the American Government was to join with the other principal Governments of the world in deputing carefully selected officers to proceed to the Near East and to find out for themselves what the conditions were. That is not going very far, perhaps, but it makes a start in getting the information upon which the American Government could then base appropriate action.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CHALMERS. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to print in the RECORD the Hughes statement and an exchange of letters between the Secretary of State and myself.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. ROGERS. The statement is not a long one, and I think it is exceedingly important in itself. My impression is that it did not receive the attention in the press that its consequence seemed to warrant. At all events, Mr. Chairman, I have been receiving since that time, and as I am informed my colleagues have been receiving since that time, letters which would indicate that while the American people are vitally interested in the welfare of the Armenians they have not been aware of the definite steps taken by the Secretary of State. Believing, as I did, that it might be well to have amplified the views of the department and the administration on this matter, I wrote to the Secretary of State on June 7 as follows:

JUNE 7, 1922.

Hon. CHARLES E. HUGHES,
 Secretary of State, Washington, D. C.

DEAR MR. SECRETARY: I am receiving daily many letters from people of high standing who are much concerned over the Armenia situation and are of the opinion that positive action of some kind should be undertaken by the United States.

I think it is not generally realized that you have accepted an invitation extended by Great Britain to investigate conditions in Asia Minor. Those who know the fact seem unaware of the extent of the commitment and of the nature of the results likely to follow. Will you not be good enough to write me indicating the administration view and plans with respect to Armenia, with especial reference to the above-mentioned investigation?

Sincerely yours,

JOHN JACOB ROGERS.

The Secretary of State has just replied and has sent me a press copy of the statement of June 3, to which I have already referred and which I will print with my remarks.

The letter of transmittal adds little or nothing to the previous statement, but for the information of Members of the House I will read it. It is as follows:

DEPARTMENT OF STATE,
 Washington, June 14, 1922.

The Hon. JOHN JACOB ROGERS,
 House of Representatives.

SIR: I have the honor to acknowledge the receipt of your recent communication with reference to the situation of the Christian minorities in Turkey.

In reply, I beg to inform you that the President has decided to designate officers to cooperate with officers selected by the British, French, and Italian Governments in investigating reports which have been received of deportations and alleged atrocities committed against the Christian minorities of Asia Minor.

For your further information and convenience, there is inclosed a copy of the statement on this subject issued by the department on June 3.

I have the honor to be, sir,
Your obedient servant,

CHARLES E. HUGHES.

Inclosure: Statement issued by the Secretary of State on June 3.

I know from personal contact with my fellow Members that they are concerned about Armenia, and that part at least of the reason why they are concerned is because their constituents are deeply concerned and have so indicated to them in their correspondence. It seemed to me that it might, therefore, be of some convenience to Members of the House if they had available in the CONGRESSIONAL RECORD the situation as it exists to-day. I think that they may be glad to be able to advise their constituents that neither Congress nor the executive branch of the Government is unaware of the gravity of the situation, but is determined to do whatever may appropriately be within the power of the American people to remedy the situation and to put a stop to the atrocities in the Near East so far as they are found to exist. [Applause.]

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. LAYTON. To what does the gentleman most attribute the conditions in Armenia and those other Asia Minor Christian peoples?

Mr. ROGERS. I think that they are probably attributable to two major causes. One is the disposition of the Turks toward the peoples of Asia Minor, especially to those of Christian faith, and the other is the rather unfortunate disposition of the problems there which were brought about by the treaty of Sevres.

The following is the statement of the Secretary of State, to which I have already referred:

[For the press.]

DEPARTMENT OF STATE, June 3, 1922.

ANATOLIA.

The Secretary of State to-day announced that the United States Government is prepared to join in a proposed investigation of the reports relating to the deportation of Christian minorities in Anatolia and the alleged atrocities connected therewith. The Secretary of State made the following statement:

"On May 15, 1922, a note was received from the British ambassador referring to reports of the renewal of the deportation of Christians by the Turkish authorities at Angora, and the alleged atrocities connected therewith, and communicating a proposal of the British Government that the American, British, French, and Italian Governments should at once depute carefully selected officers to proceed to such places in Anatolia as might best enable them to conduct an appropriate investigation.

"In a subsequent memorandum of May 19 the British ambassador indicated that the Turkish deportations and outrages might lead to retaliatory action in territory held by the Greek forces and suggested that the Government of the United States should join in requesting the authorities functioning in Greece to permit the dispatch of officers to regions under Greek occupation.

"In answering these communications the Secretary of State has said that the situation of the Christian minorities in Turkey has enlisted to a marked degree the sympathies of the American people, and it has been noted with deep concern that the work of benevolent and educational institutions in Turkey has steadily been hampered, that the rights which American citizens have long enjoyed in Turkey in common with the nationals of other powers have often been disregarded and the property rights and interests of Americans and other foreigners placed in jeopardy.

"In view of the humanitarian considerations which are involved and of the desire of this Government to have adequate information through a thorough and impartial investigation of the actual conditions prevailing in Anatolia, in order that this Government may determine its future policy in relation to the authorities concerned, the President is prepared to designate an officer or officers to take part in the proposed inquiry.

"In informing the British Government of the foregoing the Government of the United States has made it clear that the proposed action is limited in scope to an inquiry to obtain accurate data as to the situation in Anatolia for the information of the Governments participating therein and has stated that this Government assumes no further obligation and enters into no commitment.

"In order to expedite the inquiry it was at the same time suggested by this Government that officers should be designated by the respective Governments to institute inquiries concurrently in the districts respectively under Greek and Turkish occupation, and that these two commissions upon the completion of their investigation should unite in a comprehensive report."

Mr. BLAND of Indiana. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Indiana makes the point of order that there is no quorum present. The Chair will count. [After counting.] Fifty-five Members present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrew, Mass.	Bacharach	Bell	Blanton
Ansgore	Barkley	Bixler	Boies
Arentz	Beck	Black	Brennan

Britten	Fuller	Luce	Rossdale
Brooks, Pa.	Gahn	McClintic	Rouse
Buchanan	Gallivan	McKenzie	Rucker
Burke	Garrett, Tex.	McLaughlin, Nebr.	Ryan
Burtess	Gilbert	McLaughlin, Pa.	Sabath
Burton	Glynn	Madden	Sanders, Ind.
Cantrill	Goodykoontz	Maloney	Sears
Carew	Gould	Mann	Shaw
Carter	Graham, Ill.	Mansfield	Shreve
Chandler, N. Y.	Graham, Pa.	Mead	Siegel
Clague	Greene, Vt.	Merritt	Sinclair
Clark, Fla.	Griffin	Michaelson	Smith, Mich.
Classton	Hammer	Mills	Smithwick
Cockran	Harrison	Moore, Ill.	Snell
Codd	Henry	Moore, Ohio	Snyder
Connell	Herrick	Mott	Stiness
Cooper, Wis.	Hersey	Murphy	Stoll
Copley	Hicks	Nelson, Me.	Strong, Pa.
Crago	Hill	Nelson, J. M.	Sullivan
Crisp	Hogan	Newton, Minn.	Summers, Wash.
Crowther	Hooker	O'Brien	Swank
Cullen	Humphreys	O'Connor	Sweet
Darrow	Hutchinson	Oliver	Tague
Davis, Minn.	Ireland	Opp	Taylor, Ark.
Deal	James	Osborne	Taylor, Colo.
Dempsey	Jefferis, Nebr.	Padgett	Taylor, Tenn.
Dickinson	Johnson, S. Dak.	Park, Ga.	Temple
Drane	Jones, Pa.	Parker, N. Y.	Thomas
Drewry	Kahn	Parks, Ark.	Tillman
Driver	Kearns	Patterson, N. J.	Tilson
Dunn	Kelley, Mich.	Perkins	Treadway
Dupré	Kendall	Petersen	Tyson
Dyer	Kennedy	Porter	Underhill
Evans	Kless	Purnell	Vare
Fairfield	Kindred	Rainey, Ala.	Volgt
Fess	Kitchin	Rayburn	Volk
Fields	Knight	Reber	Volstead
Fish	Kreider	Reed, N. Y.	Ward, N. Y.
Fordney	Lampert	Riddick	Ward, N. C.
Foster	Langley	Robertson	Wason
Frear	Larson, Minn.	Robison	Wood, Ind.
Free	Lazaro	Rodenberg	Woodyard
Freeman	Lee, N. Y.	Rosenbloom	Zihlman

The committee rose; and the Speaker having resumed the chair, Mr. TINCER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11872, and finding itself without a quorum he had directed the roll to be called, when 246 Members answered to their names, a quorum, and he handed in a list of the absentees.

The committee resumed its session.

Mr. BLAND of Indiana. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. BLAND of Indiana: After the word "affairs," page 7, line 16, insert the following: "There shall be a marshal for such district, and it shall be the duty of the marshal to execute all process of the court, preserve order therein, and do all things incident to the office of marshal. The marshal shall be paid a salary of \$5,000 per annum."

Strike out all after the word "affairs," in line 16, page 7, to and including line 2, on page 8.

Strike out the word "and" after the word "judge" in line 3, page 8, insert a comma, and add the words "and the marshal" after the word "attorney" in said line.

Mr. BLAND of Indiana. Mr. Chairman, that amendment purports to put the United States marshal's status back as it was under the original Panama Canal act. I have taken the act and quoted the language of it in this amendment. I have sought to strike out the part of section 2 as proposed by the bill which puts the duties of the United States marshal in the hands of the chief of police. I spoke the day before yesterday on this subject, and inserted in the RECORD many of the reasons why I felt this action on the part of the House ought not to be taken. I think you will find on very close scrutiny of this bill that there are a great many defects in it. I have been trying to get the gentleman who is the author of the bill to answer some questions concerning his bill, but I have not been able to get very much information out of him. I am going now to yield a part of my time to him to let him answer a few questions: First, has anyone else recommended the repeal of the part of the law creating and paying the salary of the United States marshal except the Secretary of War?

Mr. DENISON. Mr. Chairman, I would be very glad if the gentleman from Indiana would go ahead and present his case to the House, and I shall make my statement after he is through.

Mr. BLAND of Indiana. This is the first time in the history of this House that a man purporting to be the author of a bill refuses to answer plain questions that are pertinent to the bill.

Mr. DENISON. I will say to the gentleman that I shall answer them in my own time.

Mr. BLAND of Indiana. If the gentleman were quite fair to the House he would give the information at a time when it may be commented upon. I venture to say that nobody else recommended this provision. The United States district attorney appeared before that committee when this provision was not in the bill. This is the fourth or fifth bill of this kind, and this is the only bill that ever came before the House that had this provi-

gion in it. The district judge was here the other day, and he was never asked a word as to whether he was in favor of abolishing this court officer, and the man is in the United States now, and I understand that he is violently opposed to the abolition of his court officer. Why do they not consult him? I will tell you why. Gen. W. D. Connor headed a commission to straighten out the Canal Zone, after the 4th of last March. When he went down there, military man that he is, he undertook to make it more of a military place than it ever was before. God knows the original military act gives more power to the Governor of the Canal Zone than any ruler ever had. He can deport a man without trial and reason, and this bill seeks to give additional authority. I published in the *Record* yesterday a manifesto, a public reprimand of an American citizen, issued by the acting governor in the absence of the governor, where they had brought that American citizen up and examined him and said, "We will let you slip through this time, but don't do it again." This bill seeks to give them more power, this bill seeks to take the jurisdiction from where it is now and put it in the hands of the magistrates' courts. The gentleman from Illinois [Mr. DENISON] may say that that is not true. I say that it increases the jurisdiction of the magistrates' courts to hear misdemeanors under the liquor laws. They say that the courts are full of liquor cases down there, and why? Because the Federal court tries them under the present law, and they seek to give the hirelings appointed there by this military governor the right to enforce the liquor law. They want more power down there, and they are going to get it if this bill passes. The first attack when they went there was upon the judiciary, the appointment made by Attorney General Daugherty, and I want to say to gentlemen here on this side of the House that the Attorney General is opposed to this proposition.

There is only one person who is asking for this, and that is the Secretary of War, and I venture to say that it was a purely formal matter with him; that he wrote the letter on the request of some Army officer who told him that he could save a little money there. You know how they will save money if they leave it to the Army bunch. They will have a half dozen deputies to do the work of the United States marshal and you will be paying out more money than under existing conditions.

I think this amendment ought to prevail. No man who appeared before the committee advocated the abolition of this office, as far as I am able to find out. I have asked the committee for the hearings. No person has ever asked it except the Secretary of War.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BLAND of Indiana. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLAND of Indiana. I have diligently sought to find out if anybody else was interested in having this particular provision in the bill except the Secretary of War and I can not find anyone in favor of it. The commission says that the author of this bill recommended it, and who was the commission? I do not care who the lesser lights were. I know that Gen. W. D. Connor was at the head of it and that it was his mind that controlled the report of the commission.

And that was the report that proposed to stop the appropriations for the health department in eradicating mosquitoes down there until the health rate of the zone equaled the health rate of the United States. That was an asinine demonstration by an Army officer after the great reputation made down there by General Gorgas in making it possible to build that canal by eradicating the mosquito and stopping yellow fever. He goes down there and makes the recommendation to stop the appropriations for that kind of service until the death rate from yellow fever and other diseases on the Canal Zone equals that in other cities. He would have recommended the stopping of the destruction of the yellow-fever germs until the yellow fever got started again.

The acting governor said to this fellow, "You are liable to hurt the reputation of the governor." So he posted his name on the trees. That is military goose step, if you please.

Suppose I said President Harding was a bad President and ought to be kicked out, do you think he would "hoss" me up and reprimand me publicly? He might do it privately, and I would take it, but the American citizen does not have to live under a military heel. But that is what this bill does. It intends to take the power away from the marshal and give it to a militaristic governor. And if you would leave it to the word of the Federal employees down there you would find that 90 per cent of them are in favor of sending the present governor away from the Zone. I say that advisedly.

Who has the author of this bill conferred with in bringing in this bill? If he did not remain as silent as the bones of Job in the valley, I would ask him who brought this bill to him? The military bunch, of course. The United States district attorney says he is in favor of it, but this was before it contained the provision abolishing his marshal. There were other bills introduced, I know. The gentleman from Wisconsin [Mr. Esch] introduced a bill changing somewhat the judicial procedure, but there was not a word said in it about abolishing the United States marshal. Who was it that brought it to the chairman of this committee and asked him to abolish the marshalship? I can not find out, except that it was Secretary of War Weeks, and you know that the Secretary of War follows the advice of the Army officers down there. I say there is nobody advocating this except the war lords that want to put more power in their own hands. They have got enough, God knows, down there now.

This is one of the greatest injustices of this bill. There will be a good many more pointed out before we get through with it. I hope at the proper time to move to recommit this monstrous piece of gall and put it back with the committee. There is no doubt there are some things down there that ought to be remedied. For instance, there are the divorce practices. The gentleman from Massachusetts was the first man that called my attention to it. I have not had a chance to go over it very much. You have provisions in this bill under which almost any man in this House could be divorced. It will be a divorce haven down there. My friend from Illinois, TOM WILLIAMS, says he believed the gentleman from Illinois had it put in there for the benefit of old bachelors. [Laughter.] I do not think that is so. They simply wrote it up and gave it to him. I do not believe he is in favor of that liberal law in favor of divorces, and I believe if he thought of it long enough he would not be in favor of abolishing the United States marshal and appointing deputy policemen to do the bidding of the military autocrat down there. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENISON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DENISON. Gentlemen, we have before us in this amendment one of the clearest illustrations of the difficulty of abolishing a job. Here is one of the best examples we have had in the Congress since I have been a Member, of the fuss that can be raised, and the smoke screen that can be thrown out, and the noise that can be had, when Congress undertakes to abolish a useless job and save the Treasury a few thousand dollars.

Now, if this bill had not contained the simple provision of doing away with the office of a marshal on the Canal Zone, my friend from Indiana [Mr. BLAND] would have said it was a fine bill; but because it contains that provision he attacks other provisions of the bill. Now, all of this talk, gentlemen, about militarism, military autocracy, and military rule should not fool you. That is all a smoke screen. That is simply thrown out in order to create a certain kind of prejudice. What for? To get you to save this office of United States marshal.

I want to make this confession. When this bill was filed, or when this provision was put in the bill, I did not know where the United States marshal was from. I did not know he was a personal friend and political manager of my friend from Indiana. I did not know that at all, and I perhaps do not blame him for feeling that he would like to have him continue on his job. But here is the difference between our two positions. He is speaking to try to save a job for a friend of his; I am speaking in the interest of the Government. That question is put squarely to the House to-day. I am trying to represent the policy of economy of the present administration. My friend is trying to save a job for his friend.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. DENISON. I have not the time.

I want to explain how it came to be recommended. Before the present administration came in Secretary Baker sent an able inspector down to make an investigation of conditions on the Canal Zone. He made his report just before the last administration went out, and then when the present administration came in the report of that investigator was found; the Secretary of War decided he would make a further investigation, so he appointed a commission, with the approval of the President, to go down to the Canal Zone and make a thorough investigation of conditions down there. My friend says it was a military commission. Of course he made an inaccurate statement. There was one military man on the commission and three civilians.

General Connor was chairman of it. He has been since the war the chief of the Transportation Department of the Army. He is a man of great ability, and said to be one of the ablest men in the Army on the subject of transportation. He served valiantly in France in connection with transportation and supplies during the recent war. Now, that may discredit him with some of the Members, but I am giving you the facts for what they are worth. He was chairman of the commission. Another man on that commission was Mr. A. B. Fry, who was formerly connected with the Naval Reserves, and is now connected with the Treasury Department, and during the Spanish-American War was associated with Secretary Weeks in connection with the Naval Militia; he is now a supervising engineer in New York, and is a man of unusual ability, so the papers stated at the time of his appointment. And I have that information from other sources. Another man on the commission was Mr. F. A. Molitor, who was a railroad and civil engineer of great ability, and another man is H. P. Wilson, president of the Western Power Co. of California, and considered one of the highest authorities in the United States on inland waterways, and is a man of great administrative ability. The Secretary picked the very best men he could find. They went down and made an investigation of the Canal Zone, and, among other things, they made this recommendation to the President:

The court system of the Canal Zone consists of one district court and two magistrate courts. There is a United States district attorney and a United States marshal, who has a deputy marshal. After full consultation and consideration the commission is of the opinion that the duties of marshal can be performed by the present chief of police.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes; I yield.

Mr. LONDON. Is there any way of providing that the chief of police should come from the district of the gentleman from Indiana?

Mr. DENISON. Of course, the Congress might put that in if it wishes to do so.

Mr. BUTLER. Mr. Chairman, this is no time for joking. I want some figures. Will the gentleman please state to us how much service the marshal has to perform down there in that little court? I am interested in knowing.

Mr. DENISON. I will try to do so.

Mr. BLAND of Indiana. Did you consult the Attorney General? Was he, as a part of this administration, in favor of doing away with this job?

Mr. DENISON. I did not.

Now, when we got ready to report this bill to the House—and, as I stated the other day, this bill was reported recently, and it is simply a combination of four other bills that were on the calendar—the Secretary of War, Mr. Weeks, sent a communication to the gentleman from Massachusetts [Mr. WINSLOW], the chairman of the committee, and I want to read it to you. I read:

WAR DEPARTMENT,
Washington, May 15, 1922.

HON. SAMUEL E. WINSLOW,
Chairman Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: The special Panama Canal commission appointed by me last year recommended, among other things, that the position of marshal of the Canal Zone be abolished and the duties transferred to the chief of police of the Canal Zone. The matter of making this change was first taken up with the Attorney General, and he advised me that the Panama Canal act clearly prohibited the proposed action, which could only be attained, in his opinion, by additional legislation by Congress. The Governor of the Panama Canal concurred in the recommendation of the special commission, and as there will be a saving to the United States Government if this position is abolished, I recommend that the necessary legislation be enacted. In this connection I would invite your attention to a bill now pending before the House of Representatives (H. R. 9022) to amend sections 7, 8, and 9 of the Panama Canal act, and for other purposes, and would suggest that, as section 8 originally required the appointment of a marshal, suitable amendments be added to the bill along the lines indicated below, in order to accomplish the object mentioned in the foregoing.

Then he goes ahead and suggests the amendments to be made to the bill then pending in the House in order to bring about this result. He says:

I hope that your committee will consent to the proposed amendments to this bill, and, as the legislation contemplated by the entire bill is of considerable importance to the Panama Canal, I would appreciate it if action thereon by the House of Representatives could be expedited as much as possible.

Now, there is the recommendation of the President's representative. He says he consulted the Attorney General. He thought he would have the right under the law to abolish the office of marshal himself and transfer the duties to the chief of police, but upon consultation with the Attorney General he was told that it was a matter of law, and that the law would have to be amended, and thereupon the Secretary comes to a committee of the House and recommends that this legislation be enacted.

We have one court on the Canal Zone with two districts. We have heretofore had a marshal for that court. We have also had a chief of police for the Canal Zone. Their territories are identical. The chief of police is a police officer, and he has numerous policemen under him. We have this office of marshal for the same territory as that covered by the chief of police. His duties are what? To keep attendance on the court and to serve process in the Canal Zone. It has been ascertained by this commission and others down there that the office of marshal is a wholly useless one, and as a matter of fact, gentlemen of the House, it is a perfectly useless one. The Government furnishes the marshal with a mansion to live in free and \$5,000 salary, and he does not do anything except to live comfortably. Now, that is a very nice thing; it is a very nice thing indeed; but the time comes now and then when we must look after the interest of the Treasury.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BLAND of Indiana. Mr. Chairman, I ask unanimous consent that the gentleman be given five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BLAND of Indiana. Will the gentleman yield for a question?

Mr. DENISON. Yes.

Mr. BLAND of Indiana. If the marshal has nothing to do, what is the court doing? He acts on the process of the court. What is the use of the court?

Mr. DENISON. The marshal theoretically has something to do, but practically he does it through his deputies. Now, that work might just as well be done through the chief of police. We have a chief of police there, with his deputies, and the bill says that the duties heretofore performed by the marshal shall hereafter be performed by the chief of police through such deputies as he may select with the approval of the court.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. BANKHEAD. As I understand, he proposes to abolish the office of marshal and confer his duties upon the chief of police of the Canal Zone?

Mr. DENISON. Exactly.

Mr. BANKHEAD. Does the canal act creating the government of the zone confer that authority upon the chief of police, or would it require remedial legislation to relieve the marshal of those duties?

Mr. DENISON. This act transfers the duties of marshal to the chief of police.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. LAYTON. What saving would there be?

Mr. DENISON. We have these two sets of officers, the chief of police and his deputies and the marshal and his deputies. One set of officials could do all the work without any inconvenience or any additional expense.

Mr. LAYTON. How many deputies has the marshal?

Mr. DENISON. I am told that the salary and expenses of the marshal's office amount to \$10,000 a year. The man who occupies the position of chief of police is a civilian living on the Canal Zone, and he is a very efficient man. He has been there since 1906. By this act we transfer the duties of the marshal and his deputies to the chief of police, and he with the force under him can do all this work. In that way, by the abolition of the marshal and his deputies, we save the Treasury about \$10,000 a year.

Mr. VESTAL. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. VESTAL. Why not save a little more and abolish the office of marshal in the District of Columbia?

Mr. DENISON. That is not a pertinent question in connection with this legislation for the government down there. We are now dealing with the Panama Canal. I have no personal interest in this matter. It makes no difference to me personally. For personal reasons I would rather let it alone. But there is a duty resting upon us, I suppose, as representatives of the people. The Secretary of War went to work to try to cut down the expenses of the Canal Zone. He has discharged thousands of the ordinary laborers in order to cut down the expenses down there, and we have complaints coming in from the laborers and their organizations to the effect that we are putting their men out of their jobs. Now, the Secretary of War wants to let out a few men higher up, the salaried men who are not needed, as well as those drawing day's wages, and the moment we undertake to do it by law, here come the friends of the man who has the job throwing out a great hullabaloo about "autoc-

racy" and "military rule." I hope that no one in the House is going to be misled by it.

Mr. HICKEY. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. HICKEY. When ships are taken in charge by a United States marshal it is necessary to give bond, is it not?

Mr. DENISON. Yes.

Mr. HICKEY. Does not much of that have to be done down on the Panama Canal Zone?

Mr. DENISON. Well, if they have work of that kind, it has to be done, but the chief of police can do it just as well as the marshal.

Mr. HICKEY. Can it be done by the chief of police?

Mr. DENISON. Certainly, because under this act we transfer all the duties of the marshal to the chief of police.

Mr. HICKEY. Is not that an unusual thing?

Mr. DENISON. No; not at all. Congress can do all those things if it prefers to; it is simply a matter of keeping up these useless offices and spending \$10,000 out of the Treasury, or transferring those duties to the chief of police and his deputies and thus saving that amount of money. We claim to our constituents that we are trying to reduce the costs of government. Our pretenses of economy will not get us anywhere, unless we put them into practical effect by abolishing useless and unnecessary jobs when we have a chance to do so.

We have here a splendid chance. If you want to continue this job of marshal in order to give a comfortable home and big salary to a friend of the gentleman from Indiana, all right. But if you want to have some regard for the Treasury and for your claims of economy you should support the provision of the pending bill. I have no personal interest whatever in the matter. I only want to do what I think is my duty.

Mr. HARDY of Texas. Will the gentleman yield for a question?

Mr. DENISON. I yield to the gentleman.

Mr. HARDY of Texas. The gentleman from Indiana [Mr. VESTAL] a moment ago asked why not, on a parity, abolish the office of marshal of the District of Columbia? Is there any comparison between the two positions? Does the marshal here in the District of Columbia perform duties only in the District, or has he a wider scope and a wider service?

Mr. DENISON. There is no similarity at all. The territorial jurisdiction of the marshal of the Canal Zone is the 10-mile strip, and so is that of the chief of police. Now, this is an effort on the part of the Government to economize in the administration of the Canal Zone, and the Secretary of War wishes to see that economy carried out.

Mr. OGDEN. What is the attitude of Judge Kerr, the district judge down there, upon this proposition?

Mr. DENISON. To be frank, I have not consulted the judge about that. I do not know how he feels about it.

Mr. OGDEN. He was here last week.

Mr. DENISON. I talked with Judge Keer in a social way, and told him I wanted to discuss these matters of legislation with him. He said he would be back and see me before he returned to the Canal Zone. At that time I did not know this bill was coming up so soon. I regret I did not get to consult him before this bill was reached for consideration by the House.

Mr. BUTLER. How much work does this marshal do? How many writs does he have to serve? And, in the gentleman's judgment, will the chief of police have time to perform the duties of both these offices?

Mr. DENISON. There is no question in the world that he will.

Mr. BUTLER. I should think he would, but I want to know.

Mr. DENISON. There is no question that he will.

Mr. BLAND of Indiana. He will if he appoints deputies.

Mr. DENISON. He has the deputies there now.

Mr. NOLAN. Mr. Chairman and gentlemen of the committee, I think this House ought to be interested in the report of the commission that went to the Panama Canal Zone, that seems to have stirred up the Committee on Interstate and Foreign Commerce on this particular measure. The gentleman from Ohio [Mr. COOPER] some months ago introduced in this House a measure which was referred to the Committee on Interstate and Foreign Commerce, and I know for quite a while he was trying to get a hearing before that committee, to hear the complaints of the Panama Canal employees regarding the recommendations of this commission that were put into effect. Up to the present time, as far as I know, the Committee on Interstate and Foreign Commerce have not seen fit to give Mr. COOPER and the friends of that bill a hearing.

Mr. WINSLOW. Will the gentleman yield?

Mr. NOLAN. I yield to the gentleman from Massachusetts.

Mr. WINSLOW. Does the gentleman think that Mr. COOPER will subscribe to that statement?

Mr. NOLAN. I think so.

Mr. WINSLOW. Will the gentleman be willing to ask him? Mr. NOLAN. Yes; if he is here. I know that a month ago he had not been able to get a hearing, or had not been able to get the chairman of the Committee on Interstate and Foreign Commerce to set a hearing.

Mr. WINSLOW. I am taking the gentleman's statements as he makes them, and now I am ready to take this one. The gentleman is misinformed.

Mr. NOLAN. I spoke to the gentleman from Massachusetts about it myself.

Mr. WINSLOW. The gentleman did speak to me about it, but the gentleman is not informed as to the facts.

Mr. NOLAN. But you seem to be able to give hearings on this pending measure and to report it out.

Mr. WINSLOW. We gave the hearings, but the gentleman does not seem to know about them.

Mr. NOLAN. What did this commission do when they went down there? The gentleman from Illinois [Mr. DENISON] says the fight is made when they want to remove some high officials. The commission went there and made some recommendations that took away from the Panama Canal employees privileges that they had from the days of Theodore Roosevelt, conditions of employment down there that were given to them as an inducement to go from the States to the Panama Canal Zone. They took away from them free rent, free light, free water, and free fuel, privileges given to every white man working for any concern in the Tropics. This commission also made a recommendation that hundreds of white American citizens be discharged from mechanical positions, skilled and semiskilled, on the Panama Canal Zone, and that those positions be turned over not to native Panamans but to alien Jamaica negroes, because they could be hired cheap.

That is another recommendation that this commission made which recommends the passage of this pending bill. They made the further recommendation, after cutting down all of these employees and dropping them from the pay roll, that the military chief of the Panama Canal Zone, Colonel Morrow, have his salary almost doubled, and that the high officials in connection with the administration of affairs down there along with Colonel Morrow have their salaries increased. Those are some of the recommendations of the commission that went to Panama, that took away from the white American citizens privileges of employment that this Government guaranteed them when it asked them to go down there to Panama.

The men are not complaining of the reduction in wages. According to law they had to take the reduction in wages. Their wages are based on the wages paid in the navy yards, and when you took away the bonus from the navy yard employees you also took it away from the Panama Canal employees. When the wages of navy yard employees were reduced, automatically that reduction went into effect among the employees of the Panama Canal. They are not complaining about that, but they are complaining about this Government of ours violating its agreement with them which it made when it took these men to the Tropics, conditions which surround every white man working for a concern in the Tropics. In doing this that commission has not been consistent. There is a whole lot more to that report that we would have liked to exploit before the Interstate and Foreign Commerce Committee if we had had a fair opportunity and could have had hearings to air the whole thing. [Applause.]

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, personally I know nothing about the question as to who is to hold the job of marshal or who is not to hold it, and I care less, so long as a good competent American is at the helm, but it seems to me that a larger question is involved. It is a question of principle that ought to be considered by the House. The argument made in regard to abolishing the office of marshal of the Canal Zone would apply absolutely to the District of Columbia. It would apply practically to the States where there are district courts. Why not turn over the marshal's office here to the chief of police? Their jurisdiction is territorially the same. There can be no argument made in favor of abolishing the office of marshal of the Canal Zone that does not apply to abolishing the office of marshal of the District of Columbia.

Mr. DENISON. Will the gentleman yield?

Mr. RAKER. I yield to the gentleman; yes.

Mr. DENISON. What office of marshal does the gentleman refer to in the District of Columbia?

Mr. RAKER. The marshal of the District of Columbia, the United States marshal.

Mr. DENISON. There is no such office there.

Mr. RAKER. Yes; there is.

Mr. DENISON. What is it?

Mr. RAKER. The marshal under the Federal law who attends the Federal court. He and his deputies execute the writs from the Federal courts.

Mr. DENISON. I thought the gentleman meant the marshal of the Supreme Court of the United States.

Mr. RAKER. No; I am talking about the marshal of the District of Columbia. The Supreme Court of the United States, of course, includes more than the District of Columbia, even the States of Illinois and California.

Now, let me call your attention to the fact that the territory of the chief of police at Panama covers the entire Canal Zone. The jurisdiction of the marshal covers the Canal Zone. The gentleman has to admit that one of the provisions of the bill is that you are reducing the jurisdiction of the court and giving jurisdiction to the police judge because the court now is over-run with business. There is no other reason. You are reducing the penalty and reducing the fine, taking the jurisdiction from the court so as to relieve it from the present congested condition that it is now in.

Let me call your attention to the fact that if this court is given this general jurisdiction over the trial of a case on appeal from the magistrate of the police court or the trial of civil cases involving over \$300 up to the trying of a man for murder, with all other jurisdiction granted a nisi prius court, you are now going to say that a court with that dignity, that power, shall have as its official the policeman of the district or the territory in which the court is located. It is not an officer of his own selection, not of the selection by the President, by and with the consent of the Senate, as in other district courts, but you are going to say that the court has no control over it. The bill only transfers the duties of the marshal to the chief of police and gives him the power to serve processes, and so when the court calls upon the officer to maintain order it shall be a police officer. You are taking it from the jurisdiction and power that appoints him, a man who ought to be a man of high character. It is not a question of expense.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from California asks that his time be extended three minutes. Is there objection?

There was no objection.

Mr. RAKER. You are turning these duties over to the chief of police to protect that court. It is not a question of dollars and cents. If, as a matter of fact, the chief of police is not busy, he should discharge the duties of his office and let the marshal perform the functions of his office as created, giving it unlimited jurisdiction and everything which involves the welfare of all who live in the zone. It is not the function of a police court, it is not the control of a police court, nor should it be an officer of the police force over the jurisdiction of the Federal court.

It is not a question of dollars and cents, and it ought not to be involved, and if the statement as presented by both gentlemen of the House is correct, that the marshal has been busy through his deputies, the chief of police has been busy with his deputies, and now you are going to say that we will dispense with the office of marshal and we will give the chief of police and his deputies the right to do the business through the deputy policemen and execute the orders of the Federal court. Gentlemen, you ought not to allow such a provision as that to stand.

Mr. VESTAL. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. VESTAL. Under the language of this bill would the Federal court have any authority over the chief of police?

Mr. RAKER. My view is that he does not. I have read that provision of the bill, and this is what it says. It says "and the duties of marshal of said court shall be performed by the chief of police of the Canal Zone."

Now, you know and I know that the judge has plenary power, by virtue of the Constitution and statute of the court, in the appointment of the marshal. This is by the President, by and with the advice of the Senate. The judge has power over the marshal in many matters pertaining to his office and official duties. In this bill you want the Governor of the Canal Zone to appoint the chief of police, and then

the chief of police look after the Federal court. It will not do, gentlemen.

Mr. DENISON. The judge does not appoint the marshal; the marshal is appointed by the President.

Mr. ROSE. And he appoints the chief of police.

Mr. RAKER. You mean the governor does that.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ELLIOTT. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, the charge has been made that the proponent of this amendment is trying to save a citizen of Indiana who has a salary. He is not from my district, I barely know the young man. I have seen lots of things done in the name of economy, but the abolition of a United States marshal in one of the jurisdictions of the courts of the United States in the name of economy is the greatest piece of foolishness that I ever witnessed.

The Panama Canal Zone is about 50 miles long and 10 miles wide.

Mr. LAYTON. Twenty miles wide.

SEVERAL MEMBERS. No; 10 miles wide.

Mr. LAYTON. It is 10 miles on each side of the canal.

Mr. ELLIOTT. Never mind, I am not yielding for that controversy. It is more than five times as big as the District of Columbia. It has a lot of important towns. It has the most important highway there is in the world going through it. The court in the Canal Zone is an important court, and as time goes on it is going to be more important. There is nobody in this House who would advocate the turning over of the duties of the United States marshal of the District of Columbia to a constable or to the chief of police or to anybody else. I want to tell you now that if it is important enough to have a United States court in the Canal Zone, it is important enough to have a proper officer to enforce whatever decrees it may render.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. BLAND of Indiana. I understand the United States marshal has to give bond, and if he seizes a ship on a libel and commits any error he is liable on his bond. Does the gentleman think that those duties in one of the most important ports in the world, where there is such a large amount of shipping, ought to be turned over to the chief of police?

Mr. ELLIOTT. I do not think there should be a United States court in the country that did not have all of the proper officers necessary to enforce its decrees and who acted directly under the orders of the court. I think the abolition of the United States marshal in the Canal Zone is a piece of foolishness, the same as it would be anywhere else. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. DENISON) there were—ayes 47, noes 44.

Mr. DENISON. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. DENISON and Mr. BLAND of Indiana to act as tellers.

The committee again divided, and the tellers reported—ayes 57, noes 29.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 3. Section 9 of the Panama Canal act is hereby amended so as to read as follows:

"SEC. 9. That the records of the existing courts and all causes, proceedings, and criminal prosecutions pending therein as shown by the dockets thereof, except as herein otherwise provided, shall immediately upon the organization of the courts created by this act be transferred to such new courts having jurisdiction of like cases, be entered upon the dockets thereof, and proceed as if they had originally been brought therein, whereupon all the existing courts, except the Supreme Court of the Canal Zone, shall cease to exist. The President may continue the Supreme Court of the Canal Zone and retain the judges thereof in office for such time as to him may seem necessary to determine finally any causes and proceedings which may be pending therein. All laws of the Canal Zone imposing duties upon the clerks or ministerial officers of existing courts shall apply and impose such duties upon the clerks and ministerial officers of the new courts created by this act having jurisdiction of like cases, matters, and duties.

"All existing laws in the Canal Zone governing practice and procedure in existing courts shall be applicable and adapted to the practice and procedure in the new courts.

"(b) The Circuit Court of Appeals of the Fifth Circuit of the United States shall have jurisdiction to review, revise, modify, reverse, or affirm the final judgments and decrees of the district court of the Canal Zone, and to render such judgments as in the opinion of the said appellate court should have been rendered by the trial court in all actions and proceedings in which the Constitution or any statute, treaty, title, right, or privilege of the United States is involved, and in cases in which the value in controversy exceeds \$1,000, to be ascertained by the oath of either party or by other competent evidence, and also in criminal cases wherein the offense charged is punishable as a felony; and also in civil and criminal cases in which the jurisdiction of the trial court is in issue, but whenever any such case is not other-

wise reviewable in said appellate court the question of jurisdiction alone shall be reviewable by said appellate court. And such appellate jurisdiction, subject to the right to review by or appeal to the Supreme Court of the United States as in other cases authorized by law, may be exercised by said circuit court of appeals in the same manner, under the same regulations, and by the same procedure as nearly as practicable as is done in reviewing the final judgments and decrees of the district courts of the United States. Cases pending in the said circuit court of appeals at the time of the passage of this act shall not be affected hereby, but the same shall be disposed of as though this act had not been enacted.

"(c) That it shall not be necessary in the district court of the Canal Zone to exercise separately the law and equity jurisdiction vested in said court; and the code of civil procedure of the Canal Zone and the rules of practice adopted in said zone, in so far as they authorize a blending of said jurisdictions in cases at law and in equity, are hereby confirmed."

Mr. STEVENSON. I move to strike out the last word. There is one clause in this bill as to which I want to inquire whether the gentleman who prepared the bill has given careful consideration. I refer to the provision that the members of the Supreme Court of the Canal Zone shall continue in office as long as the President shall deem necessary to conclude the business that is now before them. That is about the substance of it. Have we authority to give the President power to fix a term of office, or do not we have to fix a limit beyond which they can not continue?

Mr. DENISON. The provision to which the gentleman refers is existing law. That was enacted in 1912, and in amending that section we have simply repeated the section. The supreme court has long since been abolished.

Mr. STEVENSON. It has gone out of existence?

Mr. DENISON. Yes.

Mr. STEVENSON. That part of it has ended long ago?

Mr. DENISON. Yes.

The Clerk read as follows:

SEC. 4. That section 288 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 288. A person who engages in, instigates, aids, encourages, or does any act to further a fight commonly called a ring or prize fight, or who engages in a public or private sparring exhibition, with or without gloves, within the Canal Zone, who sends or publishes a challenge or acceptance of a challenge for such an exhibition or fight, or trains or assists any person in training or preparing for such an exhibition or fight, shall be guilty of a felony, and upon conviction shall be fined not more than \$5,000, or be imprisoned in the penitentiary not more than three years, or both: *Provided, however,* That the provisions of this section shall not apply to voluntary boxing or sparring exhibitions conducted under rules and regulations to be promulgated by the President of the United States, or by the Governor of the Panama Canal Zone by authority of the President of the United States."

Mr. LEHLBACH. Mr. Chairman, I move to strike out the last word. Will the gentleman from Illinois indicate what is new in this section 28?

Mr. DENISON. The proviso.

Mr. LEHLBACH. In what sense is the word "voluntary" used in the proviso—

voluntary boxing or sparring exhibitions, etc.

Would the gentleman not agree to eliminating that word?

Mr. DENISON. That is used to distinguish between where a man gets into a fight involuntarily, if drawn into it, and where it is a boxing exhibition. That is the usual term used in designating boxing and fighting contests.

Mr. LEHLBACH. Involuntary fighting, or a fight that really means a fight, is not an exhibition. It is an exhibition only when it is under the rules and regulations promulgated by the Governor of the Canal Zone or the President of the United States, as is provided here. Will the gentleman not agree to accept an amendment to strike out that word?

Mr. DENISON. No; I would not. Does the gentleman know of any harm that it does?

Mr. LEHLBACH. It undoubtedly restricts the right of the Governor of the Panama Canal Zone to arrange for exhibitions, which in view of the situation down there in the Canal Zone are extremely desirable. Opportunities for recreation, diversion, or amusement are somewhat restrictive, and why possibly make the entire proviso nugatory by using an ambiguous term that can do no good and may do harm?

Mr. DENISON. What other kind of a contest could be permitted except a voluntary contest?

Mr. LEHLBACH. I would say that the provisions should not apply to boxing or sparring except where conducted under rules and regulations to be promulgated, and so forth. Mr. Chairman, I move to amend by striking out the word "voluntary" in line 7, page 11.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Page 11, line 7, strike out the word "voluntary."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. RAKER. Mr. Chairman, I rise in opposition to the amendment. I am not going to criticize anybody; I am not going to mention any names; but I do believe in justice to myself and others similarly situated that I have a right to read, without referring to names, a quoted article from a California newspaper. One of the subheads of this article to which I refer is headed "House has about finished work, and so Congressman comes home." I read from the article now, without quoting the name:

Mr. ——— said yesterday that for eight months he had presided over hearings before his committee. He remained on the job until the House of Representatives practically finished its work.

"The House is about finished for the session," said ———, "and is now taking a recess of three days a week."

Of course, Mr. Chairman, it has been my supposition all along that the House is really doing business and is in session practically every day. I take it for granted that what they do is business here, and that the President knows what he is talking about when he says that one of the most important pieces of business yet before Congress is the ship subsidy bill, and I believe that there is also other legislation. Of course, it is a bit unfortunate for some of us who can not have large papers publish these matters for us, and so let it be inferred that we are simply sitting around here at Washington doing nothing and are not able to go home once in a while to attend to matters personal. However, I take it for granted that the majority side believe that we are still doing business here and have some important work to do, and that we are going to stay in session until we complete that important work.

It occurs to me that I have the right to make this observation. It has been my policy every since I have been here to stay until Congress adjourned, and when Congress is in session I have always believed that it is doing valuable work. I have never found it convenient yet to relieve myself of responsibility for being absent by the statement that the majority is not doing anything; that the business is completed; that we are adjourning three days at a time. I am sure the majority think we are working here and that they have a lot of important legislation yet to enact. If I am mistaken in that, then possibly I ought not to have quoted from this article appearing in one of the great daily papers of the West. Some of us who live about 3,000 miles from home do not go home very often. We do not go home very much unless the work is completed. We do not go home while the Congress is in session. Of course, we have not this broad publicity given to a statement that the others are simply idling here in Washington and are not home looking after matters that ought to be looked after, so that we would be in a better position to enact legislation. One has to go home now and then, you know, to see what the people want and to be able to represent their ideas. However, one can not be in two places at once.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from New Jersey [Mr. LEHLBACH].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 5. That section 289 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 289. That every person willfully present as a spectator at any exhibition or fight mentioned in the preceding section is guilty of a misdemeanor."

Mr. WALSH. Mr. Chairman, I move to strike out the last word. How does that section 289 read at present?

Mr. DENISON. Well, the only change made in that section is that the word "contention" is stricken out. In the original it reads:

That every person willfully present as a spectator at any exhibition, contention, or fight.

The committee thought the word "contention" ought not to be in there. That would make it apply to a mere affray.

Mr. WALSH. It might apply to some of the congressional parties that go down there.

Mr. LEHLBACH. Mr. Chairman, I oppose the pro forma amendment of the gentleman from Massachusetts. When this language, "exhibition or fight," mentioned in the preceding section, was used there was no proviso making lawful certain exhibitions. If you leave the word "mentioned" in the preceding section in, you have a proviso making it legal to hold voluntary boxing and sparring exhibitions under rules promulgated by the President or by the governor, but make it a misdemeanor for anybody to be present, because these excepted exhibitions are mentioned in the previous section. And it

seems to me the word "mentioned" ought to be stricken out and the word "prohibited" substituted.

I move to amend by striking out the word "mentioned" and insert in lieu thereof the word "prohibited."

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 11, line 15, by striking out the word "mentioned" and insert in lieu thereof the word "prohibited."

Mr. DENISON. I have no objection to that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. LEHLBACH].

The question was taken, and the amendment was agreed to.

Mr. BUTLER. Does the gentleman think we ought to have a fine for punishment? If a man goes to see a fight in this country now he does not get put in jail.

Mr. DENISON. I will say to my friend from Pennsylvania that the penalty for that sort of offense is defined elsewhere in the Criminal Code.

Mr. LEHLBACH. Will the gentleman tell us what the penalty for the misdemeanor is?

Mr. DENISON. It is a fine of not more than \$300 or imprisonment in jail for not more than 30 days.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 8. That section 342 of the Penal Code of the Canal Zone, as amended by the Executive order of March 13, 1907, is hereby amended to read as follows:

"SEC. 342. That grand larceny is larceny committed in either of the following cases:

- "1. When the property taken is of the value of \$50 or more;
- "2. When the property is taken from the person of another;
- "3. When the property taken is a horse, mare, gelding, cow, steer, bull, calf, mule, jack, or jenny."

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I would like to know whether the last three words here in this section are the names of animals designated, or are they some peculiar kind of animals that inhabit the Canal Zone?

Mr. DENISON. Well, Mr. Chairman, I will say that that is simply a repetition of the present law. It has been the law there for years and years. Those are terms used to designate the peculiar animals which are in use in the Canal Zone, on the Isthmus of Panama.

Mr. WALSH. What is the difference between this section as you amend it and the section as it exists?

Mr. DENISON. The difference is this, that in the first paragraph, line 22, the value is fixed at \$50 in the amended bill. The present law fixes it at \$10 and makes it grand larceny to steal or take property of the value of \$10 or more. The authorities think that is a harsh and unreasonable law. The committee concurred in that view, and we recommend to raise the value to \$50 to constitute grand larceny. And I will say that is in harmony with the law of a great many of the States.

Mr. WALSH. Is that the only change?

Mr. DENISON. That is the only change.

Mr. WALSH. I would like to know if the gentleman from Illinois can state on whose recommendation there is this encouragement to commit petty larceny carried in this bill?

Mr. DENISON. Well, Mr. Chairman, it is on the recommendation of the district attorney of the Canal Zone, of the district judge of the Canal Zone, of the Governor of the Canal Zone, and the Secretary of War. But, of course, their recommendation is not to do the thing stated by the gentleman from Massachusetts.

Mr. WALSH. None of these war lords that have been mentioned here are involved in this recommendation?

Mr. DENISON. No war lords, unless the Secretary of War is a war lord. I do not know whether he can be so designated or not.

Mr. WALSH. Probably he was included.

Mr. Chairman, I ask unanimous consent to withdraw the pro forma amendment eliminating "jenny."

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. ROACH. Mr. Chairman, I move to strike out the last two words for the purpose of asking the gentleman from Illinois [Mr. DENISON] a question. As to this section 342, is that merely a repetition of the law as it now stands as to the definition of grand larceny, with the exception of the penalty?

Mr. DENISON. It is, with the exception of the amount which would constitute grand larceny.

Mr. ROACH. What provision have you on larceny from a dwelling house in the Canal Zone?

Mr. DENISON. The offense of burglary is elsewhere defined in the Criminal Code.

Mr. ROACH. I know; but to constitute burglarly there must be the breaking into of the dwelling. If a person goes into a private dwelling through an open door, there is not any burglary there, and he might steal something of less value than \$50, but which would have a sacred value to the owner of the dwelling. It seems to me that the entering of a dwelling, irrespective of the worth of the article stolen, should be made grand larceny. I was wondering if the Penal Code as it now stands took care of that or not. It is not taken care of in this bill.

Mr. DENISON. The Penal Code of the Canal Zone makes no provision of that kind. This is the definition of grand larceny as it appears in the Penal Code.

Mr. ROACH. I think there is a deficiency in that respect.

In enumerating the live stock over there which it is stated constituted grand larceny to take, the word "heifer" is not included. I do not inquire facetiously, but I would like to ask if one would steal a heifer there would it be grand larceny?

Mr. DENISON. I will say we simply repeat there that part of the old law. We had to do so in order to amend it elsewhere.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 11. That section 6 of an act entitled "An act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits," approved August 21, 1916, be amended to read as follows:

"SEC. 6. That deposit money orders issued in the Canal Zone in lieu of postal savings certificates in accordance with the rules and regulations heretofore established by the President, or that may hereafter be established by him, shall bear interest at a rate not exceeding 3 per centum per annum."

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. The gentleman from Illinois [Mr. DENISON] gave some explanation of this change in the law. I would like to ask him why the people in the Canal Zone should be permitted to receive a higher rate of interest on postal savings deposits than people in this country? Why do you pick them out and give them 3 per cent interest on their deposits when in this country we pay only 2 per cent?

Mr. DENISON. Well, Mr. Chairman, in answer to the question of the gentleman from Massachusetts, I will say that the Government down there desires to encourage thrift and saving on the part of the employees, and the banks in the city of Panama are offering inducements to the employees to come over to the city of Panama and deposit money in their banks.

There have been two rather unfortunate bank failures there, and our Government officials have thought that it is wiser policy for our employees to deposit their money in the post offices and let the Government pay them as much as 3 per cent rather than have them go into the city of Panama and deposit their money in the banks there, with the accompanying risks that might be involved. And then there is this further reason: These funds that are deposited in the post offices are in turn redeposited by the Canal Zone government in the banks of this country, and they get 3 and 3½ per cent interest from the banks for the money, and the administration down there thought the employees ought to have the benefit of it.

Mr. WALSH. Well, all that the gentleman has said will apply to deposits made in this country. There are banks in the various cities here that are paying 3 and 4 per cent on deposits, and which would be very glad to have them, and the money that is deposited in the postal savings banks in this country is also by the department put into other institutions at a higher rate of interest. If you are going to increase the rate of interest, why do it by piecemeal and pick out the Panama Canal Zone for the special favor?

Mr. DENISON. It is not a special favor. But we are legislating here for the Canal Zone in this legislation. If the gentleman's statement is true, it is a reason why the interest rate should be increased in the United States rather than a reason why it should not be increased on the Panama Canal Zone.

Mr. WALSH. Well, I am opposed to picking out the employees simply because they happen to be on the Panama Canal Zone and giving them special consideration in the matter of the money they are putting in the postal savings banks by increasing the rate of interest.

Mr. BEEDY. Mr. Chairman, will the gentleman yield there?

Mr. WALSH. Yes.

Mr. BEEDY. Is it not true that our people on the Panama Canal Zone do not have the same opportunity to deposit their savings that they would have at their homes here? Are not the American banks limited down there?

Mr. DENISON. There are no American banks down there, except possibly some branch banks.

Mr. BEEDY. Was not that one of the reasons why this provision was inserted in the bill?

Mr. DENISON. Of course, that is true. Congress made provision in 1916 for this arrangement for encouraging saving and thrift on the Panama Canal Zone. I think it is a very wise provision, Mr. Chairman, and I think it should be left in the way we have put it.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 12. DIVORCE—CAUSES.—That in every case in which a marriage has been, or hereafter may be, contracted and solemnized between any two persons, and it shall be adjudged, in the manner hereinafter provided, that either party at the time of such marriage and continues to be (1) naturally impotent; or (2) that he or she had a wife or husband living at the time of such marriage; or (3) that either party has committed adultery subsequent to the marriage, except as hereinafter provided; or (4) has willfully deserted or absented herself or himself from the husband or wife without any reasonable cause for a period of one year; or (5) has been guilty of willful neglect which shall consist of the willful failure of the husband to provide for his wife the necessities of life, he having the ability to do so, or the willful failure to do so by reason of voluntary idleness, profligacy, or dissipation, in either case continued for a period of one year; or (6) has been guilty of habitual drunkenness for the space of two years; or (7) has attempted the life of the other by any means showing malice; or (8) has been guilty of extreme and repeated cruelty, involving acts of grievous bodily injury or producing grievous mental suffering endangering life, health, or reason; or (9) has been, subsequent to the marriage, convicted of felony or other infamous crime, it shall be lawful for the injured party to obtain a divorce and dissolution of such marriage contract in the district court of the Canal Zone.

Mr. DENISON. Mr. Chairman, I ask unanimous consent to correct the spelling of the word "grievous," in line 2 of page 15.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to correct the spelling of the word "grievous," in line 2 of page 15. Is there objection?

There was no objection.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. What is the present law on the Canal Zone with reference to cause for divorce by reason of desertion?

Mr. DENISON. There is no divorce law on the Canal Zone now. A divorce can not be had for any cause there now.

Mr. WALSH. You can get a marriage annulled?

Mr. DENISON. No; I do not think so.

Mr. WALSH. I think the gentleman, if he will consult the law, will find that they can. We had this law before the Judiciary Committee before the Governor of the Canal Zone appeared before the Committee on Interstate and Foreign Commerce, and I think if the gentleman will examine the code he will find that there is law for annulling a marriage.

Mr. DENISON. Perhaps the gentleman was not in when I explained that on the day before yesterday. There is no law at this time respecting divorce on the Panama Canal Zone, but a former judge did assume jurisdiction and did annul some marriages and granted some divorces. There is a provision in the pending bill to validate those divorces. The former court assumed jurisdiction. The present judge has investigated the matter very carefully and has rendered an able opinion on that whole subject. He holds that the court is absolutely without any jurisdiction, and he has dismissed all cases of that kind that came before him.

Mr. WALSH. And the other judge, with an equally able opinion, assumed jurisdiction and proceeded to act. Now, how did you arrive at the period of desertion as one year? Is that the usual period in the United States?

Mr. DENISON. That is the average period provided for in the laws of the different States as a ground of divorce for willful desertion.

Mr. BLAND of Indiana. It is two years in Indiana.

Mr. WALSH. That period of one year is a minimum, and there are very few States that have it except States that boast of a Reno and various other havens for people who like to consider contracts of marriage as a pastime. I would like to know if the gentleman thinks, inasmuch as we are going to furnish the Canal Zone with a law relating to divorces, whether or not we ought perhaps to make the period for which the desertion shall continue a little longer than a year?

Mr. DENISON. The law in a number of States provides that where a husband willfully deserts his wife and leaves her

entirely without support for one year, the wife should be entitled to a divorce. I do not think a woman who has been willfully deserted by her husband without cause, and who is thereby thrown upon her own resources, should be compelled to wait and suffer for a period of two years.

Mr. WALSH. Why not make it three months then, along that line?

Mr. DENISON. The gentleman's question answers itself.

Mr. WALSH. No; it does not. The gentleman is making the argument that the poor woman ought not to be compelled to suffer. If that is the purpose, to eliminate suffering, and this is a palliative, three months might be preferable; but if a brute of a husband is addicted to drunkenness the poor wife must suffer for two years before she can get a divorce, and the husband may not be contributing a cent to her support, but is living with her, and he must be habitually drunk or guilty of habitual drunkenness for two years.

Mr. DENISON. Yes.

Mr. WALSH. But if he goes over into Jamaica to reside among the dark-hued gentlemen, he has to stay there only a year before she can get a divorce.

Mr. DENISON. I think there is a difference between the two, and that the gentleman from Massachusetts will see it at a glance. A person who is guilty of habitual drunkenness yields to a natural weakness or appetite, which is not, perhaps, a moral fault on his part. It may be due to a natural appetite.

Mr. WALSH. How is anybody going to be guilty of habitual drunkenness for two years down there under the existing constitutional amendment and the Volstead law?

Mr. DENISON. To continue my statement, when a man willfully deserts his wife, that is not the yielding to a natural appetite or weakness. That is a direct and willful injury to her. He repudiates all his marital duties and obligations.

Mr. WALSH. I appreciate that the gentleman is an expert in such matters, but I would like to know—

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. I ask that the time be extended three minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the time of the gentleman from Illinois be extended three minutes. Is there objection?

There was no objection.

Mr. DENISON. If the gentleman will permit me, I think there is a moral difference between a man yielding to his appetite for drink and a man willfully deserting his wife and leaving her without support.

Mr. WALSH. I would like to ask the gentleman if this applies to the people who have gone from the United States to the Canal Zone?

Mr. DENISON. Yes; certainly.

Mr. BLAND of Indiana. Or from Panama.

Mr. WALSH. And the one year for which the desertion must continue will not begin to run until this act becomes a law. Is that correct?

Mr. DENISON. Oh, no; I would not say that that was so.

Mr. WALSH. Mr. Chairman, I offer an amendment in line 17, at the end of the line, to strike out the word "one" and insert the word "two," and in line 18, strike out the word "year" and insert the word "years."

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 14, line 17, strike out the word "one" and insert the word "two," and in line 18 strike out the word "year" and insert in lieu thereof the word "years."

Mr. WALSH. Mr. Chairman, we do not enact very many statutes covering the proceedings in divorce. Now for the first time we are providing a divorce law for the Panama Canal Zone. Notwithstanding the very pathetic presentation made by the distinguished gentleman in charge of this measure, it would seem to me that rather than take the minimum which prevails in the States of the Union we might take the average length of time which is required. Some States require three years, some one, and one, I think, six months; although it is my impression that the one State which heretofore required six months has lengthened that time to a year, and I think it would be more in keeping with the proprieties of the occasion, if they might be so termed, if Congress did not start out by holding out the hope that when it does take over the marriage and divorce laws of the country, as a great many people wish it to do, we will make it particularly easy to secure divorces. I do not agree with the contention made by the gentleman from Illinois [Mr. DENISON]. If his argument is sound the length of time might be made three months; but here is a colony down there, a zone under our jurisdiction, with a great many people going down there from the States and procuring positions, and

quite a few of them losing their positions. All that would be necessary would be for a year to elapse before they would be permitted to secure divorces.

Mr. LEHLBACH. Will the gentleman yield for a question? Mr. WALSH. Certainly.

Mr. LEHLBACH. Is there any distinction in the gentleman's mind between the terms "willfully deserted" and "absented herself or himself"?

Mr. WALSH. There certainly is.

Mr. LEHLBACH. In States which have made desertion a cause for divorce it has been held that the desertion must be against the will of the deserted party.

Mr. WALSH. Yes.

Mr. LEHLBACH. But merely to "absent herself or himself" might be with or without the consent of the deserted party, or a matter of indifference, and this bill does not say "has willfully deserted and absented himself for one year," or two years, as the case may be, but it says "has willfully deserted or" simply "absented himself."

Mr. WALSH. The gentleman is correct in that.

Mr. LEHLBACH. I would suggest that either the words "or absented herself or himself" be stricken out as superfluous, or else that the "or" be changed to "and," because "absented himself" is merely a description of the continuation of the desertion in that event.

Mr. DENISON. The word "willfully" would apply both to "deserted" and "absented."

Mr. LEHLBACH. But the question is whether the absenting himself is without the consent of the other party.

Mr. WALSH. I think the amendment suggested by the gentleman from New Jersey should be adopted, but I should like to see the time of the desertion extended for a year. There will be other trips taken by gentlemen who go down to Panama and become very familiar with the wishes of the authorities there and who will present legislation in accordance with their desires. If we make this too long, gentlemen when they arrive will have it duly explained and the gentleman can introduce a bill and have it considered.

Mr. DENISON. Mr. Chairman, that provision in the bill was suggested in a bill drafted by the special attorney for the Canal Zone government. I found upon looking at the divorce laws of several States—I am more familiar with the Illinois law—that they have similar provisions providing for a divorce where the husband or the wife has willfully deserted the other for a period of one year.

Mr. McKENZIE. Is it one year or two years in Illinois?

Mr. DENISON. Two years willful desertion, I think; but my memory may not be correct.

Mr. BLAND of Indiana. Mr. Chairman, I did not think that Illinois had a one-year provision in the statute of desertion or one year for a failure to support. But that may be true. In any of the States where it is less than two years it is regarded as too liberal for very good reasons. I heard a colleague of mine say that if a man willfully deserted his wife for one year they ought to be divorced. The trouble is that they agree to separate and go to a place where they can stay for one year so that one can say truthfully that the other walked off and deserted. The failure to provide comes under the same kind of evidence, because if he deserts her he fails to provide. If they could not separate so quickly, if they had to wait two years before they could get unhitched, then they would have to suffer, as the gentleman from Illinois says, for two years.

Mr. LAYTON. It makes no difference what time you provide for; if it was 10 years it would be the same if they wanted to get a divorce.

Mr. BLAND of Indiana. Oh, no; they have time to cool off. We have a cooling-off period in Indiana. They can not get a divorce for 60 days after they file the application, and many go back and live together. If you make the time two years, they will have time to think it over. It is the policy of the court to promote marriage instead of divorce, but this promotes divorce instead of marriage.

Mr. McKENZIE. Will the gentleman yield?

Mr. BLAND of Indiana. Yes.

Mr. McKENZIE. Is it not the observation of the gentleman that the more lax you make the divorce laws the greater the willingness of young men and young women to take a chance at it, knowing that if it does not work out all right they can be separated?

Mr. BLAND of Indiana. Yes; that is right.

Mr. BUTLER. Why not make it 20 years?

Mr. BLAND of Indiana. In some States they have no cause for divorce at all except adultery.

Mr. WILLIAMSON. Mr. Chairman, I am inclined to favor the amendment offered by the gentleman from Massachusetts,

but I think in Illinois, Iowa, Minnesota, Michigan, North and South Dakota, Nebraska, Kansas, and Wyoming, in all those States, the limit is one year.

Mr. BLAND of Indiana. It is two years in Michigan. I think there would be less divorces and more people would continue to live together if you make it two years.

Mr. BEEDY. Mr. Chairman, departing for a minute from the consideration of time, will the chairman explain the significance of the word "naturally" in the phrase "naturally impotent"?

Mr. LAYTON. That simply means where the person is congenitally impotent—where he is impotent from birth.

Mr. BEEDY. Then impotence by reason of his own debauchery would not be a ground for divorce?

Mr. LAYTON. No; not under this provision.

Mr. BLAND of Indiana. If he was in that condition prior to marriage—

Mr. LAYTON. That is not what this refers to; this refers to a man that is congenitally impotent—that is, impotent from birth.

Mr. BLAND of Indiana. We have a statute of that kind in Indiana.

The CHAIRMAN. The time of the gentleman has expired, and the question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. DENISON) there were—ayes 27, noes 18.

So the amendment was agreed to.

Mr. LEHLBACH. Mr. Chairman, I move to amend by striking out the word "or," in line 16, on page 14, and inserting the word "and."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 16, strike out the word "or" where it occurs the first time and insert in lieu thereof the word "and."

Mr. LEHLBACH. Mr. Chairman, I wish to say that the word "desertion" has a judicial well-defined meaning, and is ground for divorce. It means not only absence against the will of the deserted party but includes failure to support on the part of the husband. As it is, desertion would be a ground for divorce, and mere absence, which might be acquiesced in, would be a ground of divorce which is not intended, but if you change the conjunction "or" to "and" the willful desertion must be continued for two years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The question was taken, and the amendment was agreed to.

Mr. BLAND of Indiana. Mr. Chairman, I move to strike out the last word. I do not see any use for that first word. Suppose a woman marries a man who is impotent; then, regardless of how it happens, her relief should be the same, whether it happened naturally or by virtue of his own conduct, if it was before he married her. I think it ought to say "continued to be impotent" and not "naturally impotent." If he is impotent at the time of marriage, no matter whether from natural causes or otherwise, she should have the right to that relief.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

SEC. 15. Process—service—notice by publication: (a) The clerk of the district court shall issue a summons for the defendant to appear and answer, which summons shall be personally served on the defendant, if the defendant is found on the Canal Zone, by delivering a true copy thereof to the defendant in person.

(b) When any petitioner shall file in the office of the clerk of the district court an affidavit showing—

(1) That the husband and wife have their legal domicile in the Canal Zone and that the defendant has gone out of the Canal Zone and willfully refuses to return, so that process can not be personally served upon him or her; or

(2) That the marriage was celebrated in the Canal Zone and the wife, being the petitioner, continues to reside therein, and the husband, being the defendant, has abandoned his wife and gone out of the Canal Zone to avoid his marital obligations; or

(3) That the marriage was celebrated in the Canal Zone and the husband, being petitioner, continues to reside therein and was abandoned by his wife, the defendant, who has gone out of the Canal Zone in disregard of her marriage obligation; and

When such affidavit states the present place of residence of the defendant, if known, or that upon diligent inquiry his or her present place of residence can not be ascertained, and stating the last known place of residence of the defendant, the clerk shall cause publication to be made in some newspaper published in the Canal Zone, and if there is no newspaper published in the Canal Zone, then in the nearest reliable newspaper with a general circulation published in the Republic of Panama, and printed in English or having an English section or edition, containing notice of the pendency of such suit, the names of the parties thereto, the time and place of return of the summons in the case; and he shall also, within 10 days after the first publication of such notice, send a copy thereof by mail addressed to the defendant at the last known place of residence stated in the affidavit. The certificate of the clerk that he has sent such notice shall be evidence thereof.

(c) The notice by publication required herein may be given at any time after the commencement of the suit and after summons has been returned showing that the defendant was not found on the Canal Zone, and shall be published at least once each week for three successive weeks, and no default or proceeding shall be taken against any defendant not personally served with summons and not appearing, unless 90 days shall intervene between the first publication as aforesaid and the date at which such default or proceeding is proposed to be taken. All the facts necessary to constitute personal service, where personal service is had, or to authorize the notice by publication, where service is had by publication, must be established to the satisfaction of the court by competent evidence: *Provided*, That if the defendant resides or is found within the Republic of Panama and the place of such residence is established to the satisfaction of the court by competent evidence, then such default or other proceeding may be taken against the defendant when 30 days shall intervene between the first publication and the date at which such default or proceeding is proposed to be taken.

Mr. LOWREY. Mr. Chairman, I move to amend by striking out the whole section on divorce.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LOWREY: Page 16, beginning on line 13, strike out all of section 15.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi.

The amendment was rejected.

The Clerk read as follows:

SEC. 16. Issue and trial: (a) The cause shall stand for trial after the summons has been personally served upon the defendant at least 10 days, or 90 days after the first publication, or 30 days after the first publication if the defendant resides in the Republic of Panama. The process and practice under proceedings for divorce shall be the same as in other cases in chancery except as in this act otherwise provided, and except that the answer of the defendant need not be under oath.

(b) If the bill is taken as confessed, the court shall proceed to hear the cause by examination of witnesses in open court, and in no case of default shall the court grant a divorce unless the judge is satisfied that all proper means have been taken to notify the defendant of the pendency of the suit, and that the cause of divorce has been fully proven by competent evidence. Whenever the district judge is satisfied that the interests of the defendant require it, the court may order such additional notice as equity may seem to require.

(c) No admission of the defendant shall be taken as evidence unless the court shall be satisfied that such admission was made in sincerity and without fraud or collusion to enable the complainant to obtain a divorce. If it shall appear to the satisfaction of the court that the injury complained of was occasioned by collusion of the parties, or done with the assent of the complainant for the purpose of obtaining a divorce, or that the complainant was consenting thereto, then no divorce shall be decreed.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman in charge of the bill about the concluding language in subsection (a) of section 16, in lines 8 and 9—

and except that the answer of the defendant need not be under oath.

What is the reason for that?

Mr. DENISON. Of course, the gentleman is familiar with the chancery rule that if the answer of the defendant is under oath it shifts the burden of proof. Generally, it is expressly waived in the bill of the complainant in order to avoid the answer being made under oath.

Mr. KINCHELOE. Suppose the husband answers, denying his wife's allegation, and states affirmatively the fact that the wife has been guilty of lewd conduct? Does the gentleman then say that the defendant ought to have the right to make such an answer without its being under oath if the wife elects?

Mr. DENISON. Oh, I do not think so. He would have to go into court and prove it anyway.

Mr. KINCHELOE. He would have to do that in any proceeding. If the wife sued the husband upon the ground of desertion for two years, and the husband should file an answer and deny the allegation in the petition and then assert affirmatively that his wife was guilty of lewd conduct, then I think the wife ought to have the right to demand that the husband swear to that proposition before it should be considered in any court.

Mr. DENISON. Of course, the gentleman states an extreme case.

Mr. KINCHELOE. Oh, I think it is not an extreme case.

Mr. MOORE of Virginia. It is provided in the paragraph that the proceedings shall be the same as in other causes in chancery. Why not leave the matter of the answer to the divorce proceeding the same as in other cases in chancery? Why make an exception in so far as divorce cases are concerned? It seems to me that is indefensible. Why not leave the equity proceeding in a divorce case just as the equity proceeding is left in other cases, in so far as the answer is concerned?

Mr. DENISON. This provision in section 16 is taken literally from divorce laws of several of the States, and if the gentleman can state any particular reason why it should not be there,

I have no objection to its going out. We are simply following the precedents used in other States.

Mr. MOORE of Virginia. I would state to my friend that he would be perfectly safe in omitting "it" and leaving the equity proceedings in a divorce case exactly as they are in other cases.

Mr. KINCHELOE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. KINCHELOE: Page 19, line 8, strike out the comma after the word "provided" and the words "and except that the answer of the defendant need not be under oath."

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. RAKER. The report shows that the procedure here is adapted from the State of California. In all cases there where the complaint is sworn to the defendant must verify his answer.

Mr. KINCHELOE. The gentleman says that this shows on its face that it is a departure from the general proceedings in chancery. In line 6 it is provided that the process and practice under the proceedings for divorce shall be the same as in other cases in chancery, except as in this act otherwise provided, and then there is the further exception that the answer of the defendant need not be under oath. When a woman goes into court and sets up in good faith legitimate grounds for divorce on the ground of desertion or nonsupport or drunkenness, I do not believe the man ought to have the right to come in and set up in his answer an aspersion upon her good name unless he swears to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

The Clerk read as follows:

SEC. 18. Legitimacy of children: No divorce shall in anywise affect the legitimacy of the children of such marriage, except in cases where the marriage shall be declared void on the grounds of a prior marriage.

Mr. CURRY. Mr. Chairman, I move to amend, in line 11, page 20, by striking out the words "except in cases where the marriage shall be declared void on the grounds of a prior marriage."

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CURRY: Page 20, line 11, after the word "marriage" strike out the comma, insert a period, and strike out the remainder of the section.

Mr. CURRY. Mr. Chairman, a child who is the result of such a marriage is certainly entitled to protection in the use of the family name and in the right to inherit property. The child is born in wedlock, afterwards declared to be illegal on the ground of misinformation given by one party to the other. I do not think the child should be penalized in that way.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California.

The amendment was agreed to.

The Clerk read as follows:

SEC. 19. Cross petition and proceedings thereon: In addition to an answer, the defendant may file a cross petition for divorce; and when filed the court shall decree the divorce to the party legally entitled thereto. If the original petition be dismissed after the filing of the cross petition, the defendant may proceed to the trial of the cross petition without further notice to the adverse party; and the case upon such cross petition shall in all things be governed by the same rules applicable to a case on an original petition.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Illinois [Mr. DENISON] why should section 19 be in the bill at all? Under the provisions of subsection (a) of section 16 you say the practice shall be the same as in other cases of chancery. In other proceedings he has the right to do it, anyhow. I am asking for information.

Mr. DENISON. This is making arrangements for special proceedings for divorce. This authorizes the defendant to come in and file a cross petition and obtain the same relief the plaintiff is asking for in the original petition.

Mr. KINCHELOE. Would he not have that same right as set out in subsection (a), section 16?

Mr. DENISON. I do not know.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 20. Alimony pending suit: (a) In all cases of divorce the court may require the husband to pay to the wife or pay into court for her use during the pendency of the suit such sum or sums of money as may enable her to maintain or defend the suit; and in every suit for divorce, the wife, when it is just and equitable, shall be entitled to alimony during the pendency of the suit. And in case of appeal or writ of error by the husband, the district court may grant and enforce

the payment of such money for her defense and such equitable alimony during the pendency of the appeal or writ of error as to the court shall seem reasonable and proper.

(b) The court, upon granting to a woman a divorce from the bonds of matrimony, may allow her to resume her maiden name or the name of any former husband.

(c) Whenever a divorce is granted, if it shall appear to the court that either party holds the title to property equitably belonging to the other, the court may compel conveyance thereof to the party entitled to the same, upon such terms as it shall deem equitable.

(d) When a divorce shall be decreed the court may make such order touching the alimony and maintenance of the wife, the care, custody, and support of the children, or any of them as, from the circumstances of the parties and the nature of the case, shall be reasonable and just; and in case the wife be complainant, to order the defendant to give reasonable security for such alimony and maintenance, or may enforce the payment of such alimony and maintenance in any other manner consistent with the rules and practice of the court. And the court may, on application, from time to time make such alterations in the allowance of alimony and maintenance and the care, custody, and support of the children as shall appear reasonable and proper. In decreeing a divorce to the wife the court may order the husband to pay alimony in a gross sum or in installments, as may seem best. And it may make such orders and enforce the same by attachment and secure the payment of such alimony, but judgment for alimony can not be taken when the defendant is not personally served with summons or does not voluntarily appear.

Mr. ROACH. Mr. Chairman, I move to strike out the last word. I desire to ask the gentleman in charge of the bill a question. In subsection (b), just read, of section 23, you allow her to resume her maiden name or the name of her former husband. Should that permission be granted where children are born of a marriage?

Mr. DENISON. Well, the courts hardly ever do that when there are children, but I think if the party wants to do it and the court sees no objection to its being done, it would be all right.

Mr. ROACH. It seems to me that should be limited to cases where there are no children born of the marriage.

Mr. DENISON. Sometimes the children are in custody of the other party and there might be no objection to it.

Mr. ROACH. It would be discretionary with the judge. It becomes mandatory in the manner in which it is written here.

Mr. DENISON. It says "may allow." It is left to the discretion of the court, and generally where there are children from the marriage the court should not allow the wife to resume her maiden name. This simply allows the court to do that where there is no reason why it should not be done.

Mr. ROACH. The maiden name is restored where there are no children living?

Mr. DENISON. This gives the court the right to change the woman's name back to her maiden name under such circumstances as the court thinks it ought to be done.

The Clerk read as follows:

SEC. 21. Remarriage within one year forbidden: In every case in which a divorce has been granted neither party shall marry again within one year from the time the decree was granted: *Provided*, That when the cause for such divorce is adultery the person decreed guilty of adultery shall not marry for a term of two years from the time the decree was granted: *Provided, however*, That nothing in this paragraph shall prevent the persons divorced from remarrying each other, and every person marrying contrary to the provisions of this paragraph shall be punished by imprisonment in the penitentiary for not less than one year nor more than three years, and said marriage shall be held absolutely void.

Mr. RAKER. I want to call the attention of the chairman to this: In line 15, page 22, you make the time of limitation commence to run from the "granting" of the decree. In most of the States, in practically all of them, the time it commences to run is when the decree is "entered." For this reason: The court renders the decree, and there is no knowledge of it or record of it; nobody pays any attention to it; and you protect the parties. You have got something to act upon, and the limitation does not commence to run until the time is finally entered on the decree or judgment book by the clerk. What is the reason for making a change here?

Mr. DENISON. I am not aware of any distinction between the two.

Mr. RAKER. It is the law that the marriage is absolutely void if a marriage is made at any time within a year after the decree is entered, but it may have been rendered three years before.

Mr. GREEN of Iowa. It does not say "entered." It says "granted."

Mr. RAKER. "Granted" does not amount to anything. Now, the court renders the decree in open court. The mere fact of the recordation and signing is another thing. But in all these divorce cases—let me make it plain—the limitation of a year does not begin to run until the decree is actually entered. As an illustration of many of them in the Western States and the Eastern States, a woman got a divorce some seven years ago, and the attorney told her the decree was entered. She waited two years and the decree was not entered. She married within

a year after the decree was entered. She married a soldier. The soldier died. She applied for a pension. The department held and the court held that the marriage was illegal, and she was guilty of the offense because she married within one year after the decree was entered, but over three years had elapsed after the decree was "granted."

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. RAKER. I yield.

Mr. GREEN of Iowa. In most of the courts there is no way of telling when the decree was actually transcribed in the record. It is stated the court did a certain thing on that day, but very often they are not actually transcribed on the record until some other date. There is no way of telling when they are put on the record.

Mr. RAKER. That is the only way to tell. This is a judgment and decree, and the clerk's record certifies and states when the decree is entered. It may be granted, but it may be a month or two months before the clerk enters it.

Mr. DENISON. Will the gentleman yield?

Mr. RAKER. Now, there ought to be a definite time when the year commences, and I want to suggest to the gentleman that he amend it by making it a year after the decree is entered.

Mr. DENISON. Whenever the court grants a decree it amounts to nothing unless he enters it on the record. Whenever the decree is written on and entered upon the record it is entered of the date when the court granted it.

Mr. RAKER. This law says within a year after the decree is granted. Now, when the judge announces from the bench a decree it is granted, but it may not be entered for a month or two months or for a year afterwards.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. RAKER. I will.

Mr. DOWELL. Suppose the decree is never entered of record. Do you say, then, the divorce is granted?

Mr. RAKER. It is granted, but no final judgment has been entered. This should and must be done, and not until this is done shall the time commence to run.

Mr. CHALMERS. Mr. Chairman, a point of order.

Mr. RAKER. I am telling you that the courts of your State and of practically all the Western States say that a party can not be married within a year after the decree is entered. Now, it may run a month or two months.

Mr. DOWELL. Of course, it is a question of statute.

Mr. RAKER. A decree may be signed by the judge. If the party marries within a year and the decree has not been entered by the clerk, as it ought to be, and recorded, and the party marries, the marriage is void and the party is guilty of an offense.

Mr. DOWELL. That is because of a special statute in your State.

Mr. RAKER. No; not a special statute.

Mr. DOWELL. But in this case the divorce is granted when the decree is placed on the record.

Mr. RAKER. That does not say that at all.

Mr. BLAND of Indiana. If the gentleman will notice the first three lines he will see they require the court to order that the parties do not marry again for one year. In Indiana that has been held unconstitutional as abridging the right of contract. Here is a divorce law that gives the right to a woman to go and get a divorce because she married a man who was impotent. Suppose you give her a divorce for that reason. Now you penalize her and say she shall not marry for a year. I do not think it is right. I do not think you have a right to do that under the Constitution. Our judges do not pay much attention to this kind of law in Indiana. Nobody has ever had the nerve to take it up to the Supreme Court of Indiana. Our local courts have held that it is clearly an abridgment of the right of contract, and I call your attention to the fact that in this specific instance it would be very unwise.

Mr. WINGO. Do I understand the gentleman to say that a divorce which is granted by statute shall not be limited by a statute determining the rights of the party?

Mr. BLAND of Indiana. I do not think you have the right to restrain a marriage contract after a decree has been granted.

Mr. WALSH. Do the Indiana laws hold that if a man has one wife and marries another she is not allowed to marry again on account of the abridgment of a contract?

Mr. BLAND of Indiana. It is the policy of marriage and the policy of the court and the policy of the country that you can not have more than one wife, but it is against public policy to discourage the marrying contract.

Mr. WALSH. Well, I suppose it has been decided in that way by some decision rendered at somebody's corners in the State of Indiana.

Mr. WINGO. Mr. Chairman, I have an amendment. On line 17, page 22, strike out the word "two" and insert in lieu thereof the word "ten."

Mr. WALSH. In some of the States a decree is granted as a decree nisi, and it does not become absolute until the expiration of a year after the entry of the decree nisi, and of course the divorce does not become effective until the entry of the absolute decree, which is a year from the time the decree was entered nisi.

Mr. WINGO. That is not the case in this instance. In the bill that we have under consideration now a man who has been divorced on account of adultery is kept from marrying again for two years. I think he should have at least 10 years. I am wondering what the law is in the State of Indiana. We have heard a great deal about it this afternoon. I wonder if the provision in this bill is a copy of the Indiana statute. I propose to make it 10 years.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. WINGO. Mr. Chairman, I ask for a division.

The CHAIRMAN. The gentleman from Arkansas asks for a division.

The committee divided; and there were—ayes 3, noes 38.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 22. That all proceedings in the district court of the Canal Zone, wherein and whereby a decree of divorce has heretofore been granted upon legal service, and wherein other orders have been made affecting the status of the parties or their children, are hereby legalized.

Mr. MOORE of Virginia. Mr. Chairman, I would like to suggest to the gentleman that where he undertakes to validate what has been done by the decree of the court in certain cases, where the action was taken on legal service, if the court acted without authority there was no legal service at all. What the gentleman ought to do, it seems to me, would be to provide that where the decree of divorce was granted without authority the bill should refer to the service that was actually had.

Mr. DENISON. That is what is meant by the word "legal"—either personal service or service by publication.

Mr. MOORE of Virginia. But there was no legal service.

Mr. DENISON. What else except personal service or service by publication would be legal service?

Mr. MOORE of Virginia. But there was nothing that could be considered legal service at the time the court acted, because there was no legal foundation for the action of the court, and it is important that you should define what you mean, that the judge or judges who granted divorces without jurisdiction to do so granted them upon personal service or upon service by publication. It will clarify your meaning to state that.

Mr. DENISON. We are trying to accomplish the same purpose.

Mr. MOORE of Virginia. That is what is intended, and I offer this amendment, Mr. Chairman, that in line 3 the word "legal" be stricken out and the word "personal" substituted, and following the word "service," to insert the words "or service by publication," so that the paragraph as amended will read—

wherein and whereby a decree of divorce has heretofore been granted upon personal service or service by publication.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Virginia: Page 23, line 3, strike out the word "legal" and insert in lieu thereof the word "personal," and after the word "service," insert the words "or service by publication."

Mr. GREEN of Iowa. Mr. Chairman, it seems to me the gentleman's amendment goes a good deal further than the bill provides for, because there might be service by publication, but a service which was defective and not in legal form.

Mr. MOORE of Virginia. But we want to validate divorces granted in cases where the defendant was served personally or where there was publication, even though that publication may not have been of the character prescribed in this bill for future proceedings.

Mr. ROACH. Will the gentleman's amendment cover proceedings where there was neither personal service nor service by publication, but where the parties voluntarily entered their appearance in court?

Mr. MOORE of Virginia. I take it for granted that would be assumed to be considered personal service as a matter of course.

Mr. DENISON. We are trying by the provisions of the bill to validate those cases where divorces have been granted, where the parties were before the court.

Mr. MOORE of Virginia. I think that is quite proper.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Virginia [Mr. Moore].

The amendment was agreed to.

The Clerk read as follows:

SEC. 23. That all laws, orders, and regulations, or parts thereof in conflict with this act are hereby repealed.

Mr. DENISON. Mr. Chairman, there is an error in the title to the bill. I do not know whether that ought to be corrected now or later.

Mr. CHALMERS. That should be corrected in the House.

The CHAIRMAN. That can be corrected in the House.

Mr. DENISON. I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the committee rose; and Mr. WALSH having resumed the chair as Speaker pro tempore, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 11872) to amend sections 7, 8, and 9, of the Panama Canal act; to amend sections 288, 289, 342, 343, 368, and 461 of the Penal Code of the Canal Zone; and section 2 of the Executive order of July 9, 1914, establishing rules and regulations for the opening and navigation of the Panama Canal and approaches thereto, including all water under its jurisdiction; to amend section 6 of an act entitled "An act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits," approved August 21, 1916; and to regulate divorces in the Canal Zone, and for other purposes, had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. DENISON. Mr. Speaker, I move the previous question on the bill and amendments to the final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. DENISON. Mr. Speaker, I ask for a separate vote on the so-called Bland amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross.

The other amendments were agreed to.

The SPEAKER pro tempore. The question is on the Bland amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLAND of Indiana: After the word "affairs," page 3, line 16, insert the following: "There shall be a marshal for said district. It shall be the duty of the marshal to execute all process of the court, preserve order therein, and do all things incident to the office of marshal. The marshal shall be paid a salary of \$5,000 per annum."

Strike out all after the word "affairs," in line 16, page 7, to and including line 2, page 8. Strike out the word "and," after the word "judge," in line 3, page 8, insert a comma, and add the words "and the marshal" after the word "attorney" in said line.

The SPEAKER pro tempore. The question is on the amendment.

The question being taken, on a division (demanded by Mr. DENISON) there were—ayes 28, noes 21.

Mr. DENISON. Mr. Speaker, I object to the vote on the ground that there is no quorum present.

The SPEAKER pro tempore. The gentleman makes the point of order that there is no quorum present. It is clear that there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absentees. Those in favor of the amendment will as their names are called answer "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—ayes 132, nays 93, not voting 205, as follows:

YEAS—132.

Almon
Andrews, Nebr.
Appleby
Atkeson
Bankhead
Barbour

Benham
Bird
Bland, Ind.
Bland, Va.
Bowling
Brand

Browne, Wis.
Burdick
Cable
Campbell, Pa.
Christopherson
Clague

Cole, Iowa
Colton
Cooper, Ohio
Coughlin
Cramton
Crisp

Curry
Doughton
Dowell
Drewry
Dunbar
Dyer
Echols
Elliot
Ellis
Fairchild
Faust
Favrot
Fitzgerald
Fulmer
Garner
Gensman
Gorman
Green, Iowa
Hadley
Hawley
Hays
Hickey
Huddleston
Hukriede
Hull
Jacoway
Jeffers, Ala.

Johnson, Miss.
Kearns
Keller
Kelly, Pa.
Ketcham
King
Kissel
Kline, N. Y.
Knutson
Kopp
Lampert
Lawrence
Leatherwood
Lee, Ga.
Lineberger
Little
Logan
Lowrey
Luhning
McArthur
McPherson
Magee
Martin
Michener
Millsbaugh
Montoya
Moore, Ind.

Morgan
Mott
Nelson, A. P.
Newton, Mo.
Nolan
Norton
Ogden
Oliver
Porter
Purnell
Radcliffe
Rainey, Ill.
Raker
Reece
Reed, W. Va.
Rhodes
Ricketts
Roach
Rodenberg
Rose
Schall
Scott, Mich.
Scott, Tenn.
Shelton
Sisson
Smith, Idaho
Smith, Mich.

Speaks
Steagall
Steenerson
Stephens
Taylor, N. J.
Ten Eyck
Thompson
Timberlake
Tinker
Towner
Upshaw
Vestal
Vinson
Voigt
Volstead
Wheeler
White, Kans.
Williams, Ill.
Williamson
Wilson
Wingo
Woodruff
Wurzbach
Wyant
Young
Zihlman

NAYS—93.

Ackerman
Aswell
Beedy
Begg
Bond
Box
Briggs
Brooks, Ill.
Bulwinkle
Butler
Byrnes, S. C.
Byrns, Tenn.
Campbell, Kans.
Chalmers
Chandler, Okla.
Clouse
Collier
Collins
Connally, Tex.
Dale
Dallinger
Davis, Tenn.
Denison
Fisher

French
Frothingham
Garrett, Tenn.
Gerner
Glynn
Goldsborough
Greene, Vt.
Griest
Hammer
Hardy, Colo.
Hardy, Tex.
Haugen
Hawes
Hayden
Hill
Hoch
Hudspeth
Humphreys
Husted
Jones, Tex.
Kless
Kincheloe
Kline, Pa.
Lanham

Lankford
Larsen, Ga.
Layton
Lea, Calif.
London
Longworth
McDuffie
McFadden
McLaughlin, Nebr.
McSwain
MacGregor
Mapes
Miller
Moore, Va.
Oldfield
Overstreet
Palze
Parker, N. J.
Pringle
Quin
Ramseyer
Rankin
Sanders, Tex.

Sandlin
Shaw
Sinnott
Sprout
Stafford
Stevenson
Strong, Kans.
Summers, Wash.
Sumners, Tex.
Swing
Tillman
Tucker
Valle
Walsh
Watson
Webster
Williams, Tex.
Winslow
Wise
Woods, Va.
Yates

NOT VOTING—205.

Anderson
Andrew, Mass.
Ansorge
Anthony
Arentz
Bacharach
Barkley
Beck
Bell
Bixler
Black
Blakeney
Blanton
Boles
Bowers
Brennan
Britten
Brooks, Pa.
Brown, Tenn.
Buchanan
Burke
Burroughs
Burtness
Burton
Cannon
Cantrill
Carew
Carter
Chandler, N. Y.
Chindblom
Clark, Fla.
Clarke, N. Y.
Classon
Cockran
Codd
Cole, Ohio
Connell
Connolly, Pa.
Cooper, Wis.
Copley
Crago
Crowther
Cullen
Darrow
Davis, Minn.
Deal
Dempsey
Dickinson
Dominick
Drane
Driver
Dunn

Dupré
Edmonds
Evans
Fairfield
Fenn
Fess
Fields
Fish
Focht
Fordney
Foster
Frear
Free
Freeman
Fuller
Funk
Gahn
Gallivan
Garrett, Tex.
Gilbert
Goodykoontz
Gould
Graham, Ill.
Graham, Pa.
Greene, Mass.
Griffin
Harrison
Henry
Herrick
Hersey
Hicks
Himes
Hogan
Hooker
Hutchinson
Ireland
James
Jeffers, Nebr.
Johnson, Ky.
Johnson, S. Dak.
Johnson, Wash.
Jones, Pa.
Kahn
Kelley, Mich.
Kendall
Kennedy
Kindred
Kinkaid
Kirkpatrick
Kitchin
Klecza
Knight

Kraus
Kreider
Kunz
Langley
Larson, Minn.
Lazaro
Lee, N. Y.
Lehlbach
Linthicum
Luce
Lyon
McClintic
McCormick
McKenzie
McLaughlin, Mich.
McLaughlin, Pa.
Maloney
Mann
Mansfield
Mead
Merritt
Michaelson
Mills
Mondell
Montague
Moore, Ill.
Moore, Ohio
Morin
Mudd
Murphy
Nelson, Me.
Nelson, J. M.
Newton, Minn.
O'Brien
O'Connor
Olpp
Osborne
Padgett
Park, Ga.
Parker, N. Y.
Parks, Ark.
Patterson, Mo.
Patterson, N. J.
Perkins
Periman
Petersen
Pou
Rainey, Ala.
Ransley
Rayburn
Reber
Reed, N. Y.

Riddick
Riordan
Robertson
Robison
Rogers
Rosenbloom
Rossdale
Rouse
Rucker
Ryan
Sabath
Sanders, Ind.
Sanders, N. Y.
Sears
Shreve
Siegel
Sinclair
Slomp
Smithwick
Snell
Snyder
Stedman
Stiness
Stoll
Strong, Pa.
Sullivan
Swank
Sweet
Tague
Taylor, Ark.
Taylor, Colo.
Taylor, Tenn.
Temple
Thomas
Tilson
Treadway
Tyson
Underhill
Vare
Volk
Walters
Ward, N. Y.
Ward, N. C.
Wason
Weaver
White, Me.
Wood, Ind.
Woodyard
Wright

Mr. Stiness with Mr. McClintic.
Mr. Maloney with Mr. Kitchin.
Mr. Treadway with Mr. Cockran.
Mr. Kennedy with Mr. Fields.
Mr. Luce with Mr. Deal.
Mr. Dickinson with Mr. Rainey of Alabama.
Mr. Evans with Mr. Smithwick.
Mr. Fordney with Mr. Riordan.
Mr. Reber with Mr. Carter.
Mr. Beck with Mr. Mead.
Mr. Henry with Mr. Dupré.
Mr. Brennan with Mr. Sabbath.
Mr. Michaelson with Mr. Barkley.
Mr. Arentz with Mr. Padgett.
Mr. Davis of Minnesota with Mr. Tague.
Mr. Frear with Mr. Rayburn.
Mr. Burke with Mr. Pou.
Mr. Hicks with Mr. Blanton.
Mr. Ansorge with Mr. Parks of Arkansas.
Mr. Bowers with Mr. Stoll.
Mr. Lee of New York with Mr. Cullen.
Mr. Patterson of New Jersey with Mr. Drane.
Mr. Crowther with Mr. Taylor of Arkansas.
Mr. Fess with Mr. Johnson of Kentucky.
Mr. Perkins with Mr. Dominick.
Mr. Lehlbach with Mr. Carew.
Mr. Strong of Pennsylvania with Mr. Black.
Mr. Vare with Mr. Garrett of Texas.
Mr. Taylor of Tennessee with Mr. Griffin.
Mr. Connell with Mr. O'Brien.
Mr. Langley with Mr. Clark of Florida.
Mr. Patterson of Missouri with Mr. Sears.
Mr. Robison with Mr. Buchanan.
Mr. Mondell with Mr. Sullivan.
Mr. Rossdale with Mr. Kunz.
Mr. Sinclair with Mr. Lazaro.
Mr. Burtness with Mr. Weaver.
Mr. Wood of Indiana with Mr. Gallivan.
Mr. Volk with Mr. Hooker.
Mr. Snell with Mr. Kindred.
Mr. Kendall with Mr. Harrison.
Mr. Snyder with Mr. Rucker.
Mr. Knight with Mr. O'Connor.
Mr. Graham of Pennsylvania with Mr. Linthicum.
Mr. Osborne with Mr. Mansfield.
Mr. Hutchinson with Mr. Lyon.
Mr. Goodykoontz with Mr. Montague.
Mr. Olpp with Mr. Park of Georgia.
Mr. Codd with Mr. Thomas.
Mr. Funk with Mr. Tyson.
Mr. Greene of Massachusetts with Mr. Bell.
Mr. Fuller with Mr. Taylor of Colorado.
Mr. Murphy with Mr. Ward of North Carolina.
Mr. Kreider with Mr. Wright.
Mr. Bacharach with Mr. Swank.
Mr. Morin with Mr. Stedman.
Mr. Boles with Mr. Gilbert.

The result of the vote was announced as above recorded.
A quorum being present, the doors were opened.
The bill was ordered to be engrossed and read a third time,
and was read the third time.

Mr. LOWREY. Mr. Speaker, I offer the following motion to recommit.

The Clerk read as follows:

Mr. LOWREY moves to recommit H. R. 11872 to the Committee on Interstate and Foreign Commerce, with instructions to report the same back to the House forthwith with the following amendment:
Strike out sections numbered 12 to 22, inclusive.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken, and the bill was passed.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to amend the title by substituting the word "operation" for the word "opening" in line 5 of the title.

The SPEAKER pro tempore. Is there objection.

There was no objection.
On motion of Mr. DENISON, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted to Mr. FAIRFIELD, for three weeks, on account of important business.

So the amendment was agreed to.
The following pairs were announced:
Until further notice:
Mr. Kahn with Mr. Cantrill.
Mr. Sanders of Indiana with Mr. Driver.

ORDER OF BUSINESS.

Mr. TOWNER. Mr. Speaker, I ask unanimous consent that it shall be in order to-morrow to take up the Private Calendar to consider bills unobjected to, the call to commence where the last call left off.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent that to-morrow it shall be in order to consider bills on the Private Calendar unobjected to, beginning the call where the call last left off. Is there objection?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 10101) making appropriations for the District of Columbia, disagree to the Senate amendment to the House amendment to amendment No. 1 of the Senate, and ask for a conference.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the bill H. R. 10101, the District of Columbia appropriation bill, disagree to the Senate amendment to the bill, and ask for a conference. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, has not this bill been to conference?

Mr. MADDEN. It has been to conference, and the conferees made a report. The House adopted that report, and the Senate amended the report adopted by the House, and it now comes back with an amendment to the House amendment to Senate amendment No. 1, which has not yet been in conference.

Mr. GARRETT of Tennessee. Was the other report a complete report?

Mr. MADDEN. As I understand it; yes.

Mr. STAFFORD. Did the House take any action on those amendments to which the House disagreed?

Mr. MADDEN. It did. The Senate amended the amendment of the House to the amendment of the Senate, which the House had agreed to as a result of the conference, and when the action of the House went back, after the adoption of the conference report, the Senate amended that, and it now comes back to the House amended.

Mr. STAFFORD. There is only one amendment in disagreement, and that is Senate amendment No. 1?

Mr. MADDEN. As I understand it; yes.

Mr. GARRETT of Tennessee. What is that amendment?

Mr. MADDEN. That has to do with the fiscal affairs of the District of Columbia.

Mr. GARRETT of Tennessee. Is that the amendment creating a commission?

Mr. MADDEN. There are several phases to it. It creates a commission, fixes different kinds of payment of taxes, and other things.

Mr. GARRETT of Tennessee. Is the course which the gentleman is asking to have taken agreeable to the gentleman from Kentucky [Mr. JOHNSON]?

Mr. MADDEN. It is done after consultation with him. We are unanimous about it.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. MAPES. As I recall the procedure, the House adopted amendment No. 1 as a separate proposition, as an amendment to the conference report.

Mr. MADDEN. That is right.

Mr. MAPES. That went back to the Senate, and the Senate amended it by putting on the so-called Jones resolution.

Mr. MADDEN. Yes.

Mr. MAPES. And that is the matter which the gentleman wants to have sent to conference?

Mr. MADDEN. They modified it in other ways also.

Mr. STAFFORD. My impression was that when the bill last left the House there were other Senate amendments in disagreement besides Senate amendment No. 1, and that no conference has been had between the two bodies since then, and the Senate has taken action only on Senate amendment No. 1 and left the other Senate amendments in disagreement.

Mr. MOORE of Virginia. Is the so-called Jones resolution or bill the only matter in disagreement?

Mr. MADDEN. Oh, no; there are two or three items in disagreement.

Mr. MOORE of Virginia. Modifying the fiscal plan, generally?

Mr. MADDEN. Yes. There are two or three items in one amendment.

Mr. STAFFORD. I examined the papers that were returned to the House this morning and found that there were several

amendments still in disagreement. I know the chairman of the committee has been very busy since these papers came over considering estimates on the deficiency bill. According to the report of May 3 the House receded from its disagreement to Senate amendment No. 1 with an amendment. It also receded from its disagreement to Senate amendment No. 78 with an amendment, also Senate amendment No. 79 and other Senate amendments, and the House insisted upon its disagreement to Senate amendment No. 186. Senate amendment No. 186 relates to the purchase of property in Rock Creek and Potomac Parkway, and I should think the gentleman would like to have a conference on all the matters in disagreement.

Mr. MADDEN. I understood there was but one matter in disagreement. As the gentleman says, I have been very busy. I desire to disagree to all of the Senate amendments, of course, and have them go to conference.

The SPEAKER pro tempore. Apparently the Senate has not acted on some of the House amendments. It has acted on Senate amendment No. 1 and returned it. The message accompanying the papers refers to only one amendment. There are several other amendments which the House has concurred in with an amendment upon which the Senate has not yet acted.

Mr. MADDEN. Mr. Speaker, may I read what Senator PHIPPS, chairman of the subcommittee, said in connection with this:

Mr. PHIPPS. The District of Columbia appropriation bill, House bill 10101, has received the approval of both Houses, with the exception of the first amendment of the Senate, the fiscal feature of the bill, which was amended by the House, and the House amendment was referred to the Committee on Appropriations. I was authorized by that committee to report it back with a slight amendment, which will be found on page 3 of the amendment adopted by the House, and which is to insert, after the word "discretion," in line 10 of the House text, "to any rate not in excess of the rate imposed upon real estate."

It is simply a matter of precaution to have the language put in such form that it can not be misunderstood or misconstrued. I ask that the amendment may be approved.

So from the RECORD it would appear that there was only one amendment to be considered.

Mr. STAFFORD. From the papers in the custody of the House it shows that the Senate has not acted upon the other amendments in disagreement.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the bill H. R. 10101, the District of Columbia appropriation bill, disagree to the amendments of the Senate to the amendment of the House to the amendment of the Senate No. 1; insist on the amendments of the House to the amendments of the Senate Nos. 78, 79, 86, 101, 115, 116, 142, 155, 163, and 187; further insist on the disagreement to the amendment of the Senate No. 186; and ask a conference. Is there objection?

Mr. GARRETT of Tennessee. Of course, the House has already insisted on these other matters. I will not object if the gentleman thinks this is the best.

The SPEAKER pro tempore. The House concurred with an amendment.

Mr. GARRETT of Tennessee. They insisted on a disagreement to No. 186, according to the statement made by the gentleman from Wisconsin [Mr. STAFFORD] just now.

Mr. MADDEN. If they have not receded, we want to be authorized to take up all of them.

Mr. GARRETT of Tennessee. If the gentleman wants to do this, all right; but it seems to me the proper course would be to return the bill to the Senate and let them act on the part they have not acted on. However, I have no objection.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Is there objection to the Chair appointing the conferees? [After a pause.] The Chair hears none.

The SPEAKER pro tempore named the following conferees: Mr. MADDEN, Mr. CRAMTON, and Mr. JOHNSON of Kentucky.

COLLECTION OF CUSTOMS.

Mr. GREEN of Iowa. Mr. Speaker, I present a privileged report from the Committee on Ways and Means.

The SPEAKER pro tempore. The gentleman from Iowa presents a privileged report from the Committee on Ways and Means, of which the Clerk will read the title.

The Clerk read as follows:

House Joint Resolution No. 344, authorizing the Secretary of the Treasury to detail four persons paid from the appropriation for the collection of customs.

Mr. GARRETT of Tennessee. Mr. Speaker, I reserve a point of order as to whether it is privileged.

The SPEAKER pro tempore. The gentleman from Tennessee reserves a point of order as to whether it is privileged, and reserves all points of order on the resolution.

ADDRESS OF PRESIDENT HARDING AT FORT M'HENRY.

Mr. HILL. Mr. Speaker, I desire to make a unanimous-consent request.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HILL. Yesterday at Fort McHenry, in Baltimore, the President dedicated a memorial to Francis Scott Key, the author of "The Star Spangled Banner." Recently there appeared in some of the newspapers a paid advertisement attacking the national anthem, which symbolizes the ideals for which our men have fought and died. I ask unanimous consent, as an answer to such propaganda, to extend my remarks by inserting the address of the President in 8-point type.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent to extend his remarks in the Record by printing in 8-point type the address delivered by the President yesterday at Fort McHenry.

Mr. LINEBERGER. Reserving the right to object, I want to ask the gentleman if he proposes to insert anything regarding the criticism of "The Star Spangled Banner," or only the President's address?

Mr. HILL. I will say to the gentleman that no man in this Chamber could read the attack which was publicly printed against "The Star Spangled Banner" without having his blood boil, but I feel such an attack should not be dignified by any further reference to it. I think that the magnificent address of the President itself stands for the spirit back of the "Star Spangled Banner" and alone is sufficient answer to the slanders I referred to.

Mr. LINEBERGER. Then, it is the address only?

Mr. HILL. Yes.

Mr. CRAMTON. Mr. Speaker, reserving the right to object, does the gentleman from Maryland know whether this is also to be printed in the Senate proceedings?

Mr. HILL. My information is that it is not to be so extended, but I do not know definitely.

Mr. CRAMTON. If the gentleman should learn that it is to be extended, he would not duplicate?

Mr. HILL. I would not.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The address is as follows:

ADDRESS OF THE PRESIDENT OF THE UNITED STATES AT THE DEDICATION OF THE FRANCIS SCOTT KEY MEMORIAL AT FORT M'HENRY, BALTIMORE, JUNE 14, 1922.

My fellow Americans, the shrines of American patriotism not only reflect the quality of its gratitude, but they are ever refreshing and inspiring. We are assembled to-day to rededicate one of these sacred shrines. We are met to commemorate a historic victory in arms, when the young Republic was first asserting its national rights against an armed foe. And we are met to commemorate a very unique achievement in the literature of national inspiration. Here the patriotic sons of the early Republic crushed one of the most ambitious invasions ever aimed against our Nation. Here, during the rage of combat, was born the swelling anthem of American patriotism.

It is wholly fitting that Flag-Day should be chosen for this commemoration and rededication, because our hymn of patriotism is an apostrophe to the flag we love. Yea, it is apostrophe and invocation as well, born of a patriotic and poetic soul in the travail of a sublimely heroic night.

Some one has said, in substance: "Let me write the songs of a people and I care not who makes their laws." That quotation presents one of the living truths, in every land, under every sky, about the appeal of poetry and song to the finer sentiments of the human heart. The truth is completely demonstrated in the appeal which "The Star-Spangled Banner" made to the American people from the day it came from the poet's heart and pen.

I think it fair to say that we have come here to-day not so much to pay tribute to the genius which caught the inspiration of a vital moment and wrote that inspiration into one of the songs of the ages, but rather more to memorialize the patriotic service of the author in his everlasting contribution to the soul uplift and exaltation of his countrymen who live after him.

Francis Scott Key, though he produced some splendid lines, which are less familiar than they deserve, was not a great poet. He was less, but he was also more, than a great poet. He was possessor of a patriotism which in a supreme moment could make words and meters its creatures and servitors; and so a modest genius was raised in one flaming hour to place among the immortals. That the song became instantly popular, and that when set to music it was immediately adopted as the anthem of militant Americanism, testifies that already, more than a century ago, the conviction of a great nationalism and a great destiny had taken hold upon the American people. To

give ringing voice to such a conviction, to such an aspiration, was one of the greatest services which any man could do for the young Republic. That was the service of Francis Scott Key. It was not in the production of soul-stirring lines, thrilling with martial appeal; it was in the contribution of his great hymn toward creating that sense of national pride and that realization of responsibility for a great adventure in behalf of humanity, which became at last the inspiration of union preserved and of nationalism established.

To one who has a bent for such oddities there will be found much of absorbing interest in the study of those songs of patriotism which at different eras have enjoyed popularity. The Civil War brought a generous contribution of songs, good, bad, and indifferent, but all aiding to fire the national spirit. Once they were on millions of tongues, sung in every assembly; yet one will have difficulty finding anybody of the present generation who is familiar with more than a line or two from any of them. I must, of course, except "Dixie," which in the years since Appomattox has been claimed, like every other good thing that the South possessed, as part of the common heritage of the entire people.

Again, the Spanish-American War set us all singing "There's a Hot Time in the Old Town To-night," which in a day became the Army's marching and fighting song. The World War produced a really remarkable group of the songs of inspiration and patriotism. It seems only yesterday that we were singing them. There were many, and they served well; but none has ever for a moment threatened the throne which "The Star Spangled Banner" occupies as the royal anthem of American patriotism.

The composition of "The Star Spangled Banner" seemed at the time a minor incident among major events. The British Government had sent a great expedition to occupy the Chesapeake, and to drive out the privateers which from its waters made their tireless forays against British shipping, and to create the base from which to drive a great military force northward. Simultaneously an army was to advance from Canada southward through the Hudson Valley, the general plan being to split the country along the line of the Hudson, the Delaware, and the Chesapeake. It was the same strategic conception fundamental in the British program of Revolutionary years.

The campaign started off successfully. The British occupied the lower Chesapeake and Potomac, captured Washington, and then turned to reduce Fort McHenry, sentinel at the gates of Baltimore. Then the way would be open for the army's operation in accordance with the general design.

One need not tell a Maryland audience how significant was the failure of the night attack on Fort McHenry. It spelled the failure of the most ambitious project ever put forth for the subjugation of this continent. The Maryland Militia and the limited force of Regulars saved the Chesapeake, and won for Baltimore the distinction of being the only great seaport on the Atlantic coast which has never been occupied by an enemy. I trust that for all the future Baltimore will have to share that fortune with every other seaport; but the fact remains that when the British armada of 1814 retired, beaten, from Fort McHenry, it left with Baltimore the eminence of being the one great American port over which no enemy flag had ever waved.

Great as were the issues decided that September day, the victory has proved of very minor interest in the popular mind, compared to the fact that the battle inspired "The Star Spangled Banner." Mr. Key had gone as a quasi-official envoy on board the British flagship to seek release of an American prisoner. Admiral Cockburn was unwilling to let him return until after the bombardment, lest some of the plans should get to the knowledge of the Americans. So Mr. Key and a friend were retained on board a cartel ship, the *Minden*, from which they saw the bombardment. "The rocket's red glare, the bombs bursting in air" were watched all night long by the two Americans, torn with anxiety for the fate of their city and country.

The poem was written on an envelope and other scraps of paper during the bombardment and within a few hours afterwards. It was literally the inspiration of a great moment and a moving experience. On the retirement of the defeated fleet, Mr. Key was given his freedom, and the poem was published at once, attaining instant popularity.

Did Francis Scott Key, during the harrowing hours of that summer-night vigil in the storm of battle, realize that he was producing an immortal work? Is it possible that to his poet's soul came later realization that he had written lines which meant undying fame? There are evidences that he did conceive that the great inspiration had raised him to heights he had never touched before. When the poem was printed and circulated in Baltimore he watched its reception with the profoundest interest; he wrote of his gratification that it was so well regarded.

If one, forgetting the music, will ponder that poem of battle and victory and thanksgiving, I think he will comprehend the elements that have made it great—great as a song of patriotism and exaltation, great merely as a piece of poetical portraiture. The first stanza tells the anxiety with which, after the bombardment had ceased, the author peered through the mists of dawn and asked the one question whose answer would tell the fateful story:

* * * Can you see, by the dawn's early light,
What so proudly we hail'd at the twilight's last gleaming, * * *

In the second stanza he glimpses the banner, and bursts into song of rejoicing. The third stanza is a defiance of the oppressor; and then, in the fourth and last stanza, we find the note of thanksgiving, the prayer that the victory may be justified in the conduct of a race of freemen:

O, thus be it ever, when freemen shall stand
Between their lov'd home and the war's desolation.

That was the poet's prayer. We may fairly claim, in pride for the deeds of our fathers, our sons, our brothers, the prayer has been granted. The faith has been kept.

It is the hope of every American heart to-day that it will continue to be kept. The intervening century has brought our country power and high place. It has cast upon us heavy burdens of responsibility, making us share the difficult problems of a world in the turmoil of a new time. We need all the inspiration and faith which fired his glowing soul of patriotism. No generation of men has ever come into the world to find its path smoothed, or to find its problems solved for it in advance. Solution is the fit price we pay for our great inheritance of liberty and opportunity.

The outstanding and the reassuring thought of to-day is the supreme exaltation of Key, in the hour of great trial, to reveal the soul of a patriot in the night of surpassing anxiety and devotion to country.

No concern for self narrowed his thought. No glorification of the individual marred his vision. No pursuit of fame set his soul ablaze. No personal advantage hindered his pen. His country and his concern for its safety were combined in his all-consuming thought; the Nation was the great, uplifting, and exalting love. In this impassioned, anxious, self-sacrificing, exalting, and exulting love of country, transcending all else, Key reached the sublime heights, and wrote the poetic revelation of an American soul aflame.

If our generation is called to shoulder unprecedented burdens, it may rejoice in unexampled strength. Everlastingly right in the great fundamentals, we may face the future with every confidence, providing men give first of heart and soul to the Republic and its righteous institutions, and give first thought and unflinching devotion to the Nation's perpetuity.

An American citizenship of the high and simple faith of Francis Scott Key, aflame for defense, and no less devoted in meeting the problems of peace, will add to the luster of the banner he so proudly acclaimed. Every glittering star is fixed, every worth-while procession is the more impressive for its bearing, every passion for country is refined by its unfolding. On ships of mercy or vessels of war, in the armed camp or at the memorials of peace, in rejoicing procession or flying from the staff over the simple temples of the schooling youth of America—everywhere it pleases the eye, and reassures the heart and stirs the soul, until we sing in all confidence with the poet-patriot—

The Star-Spangled Banner in triumph shall wave
O'er the land of the free and the home of the brave.

EXTENSION OF REMARKS.

Mr. BROWNE of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the coal strike and on the threatened railroad strike.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection? [After a pause.] The Chair hears none.

The extension of remarks referred to are here printed in full as follows:

Mr. BROWNE of Wisconsin. Mr. Speaker, on March 30, addressing my remarks to the then threatened coal strike, I said: "Because of the drastic cut in their wages, amounting to one-fourth of the present wage, 500,000 coal miners will go out on a strike April 1, which gives promise of being one of the largest and most bitter industrial struggles in the history of this Nation." To-day there are at least 650,000 coal miners idle and the output of the coal mines in the United States is so small that there will be a terrible coal shortage even if the men should go back to work to-morrow. However, the coal strike is

further from a settlement than it was April 1, when the men stopped work.

BLAME OF THE COAL STRIKE RESTS UPON THE MINE OWNERS.

Despite the tons of propaganda and misleading advertisements of the coal operators, the reading public have placed the blame where it unquestionably should be placed, upon the coal operators, who refused to carry out their agreement made with the miners and sanctioned by the Government, to meet the miners and the conciliation board of the Department of Labor. I went into the merits of this controversy between the coal operators and the miners very fully in my speech of March 30, and I think established the fact that the strike might have been averted if the mine operators had kept their agreement or had accepted the urgent request of Commissioner Davis, of the United States Department of Labor, to confer with him. I again call attention to what Secretary of Labor Davis, a high Government official, a member of the President's Cabinet, who speaks as the voice of the President and the administration, says regarding the merits of the controversy:

I have always believed, and every citizen is with me in the belief, that employers and employees who have signed a wage agreement or contract should observe it in spirit and to the letter. If the two parties to a trade dispute get together, it is always possible to work out a satisfactory settlement and maintain peace.

In fairness it must be said that the miners' officials were willing and ready to go into the conference agreed upon, but some of the operators declined to meet.

The operators and miners were bound to a conference; that this conference might have led to a new agreement and the country might not have been confronted with a stoppage of coal production, a suspension avoided, ample supplies of coal and a gradual reduction in price would have resulted.

I can not but express keen disappointment at the failure of certain operators to fulfill the terms of their obligation to meet in conference with a view to peace in the coal industry for two years more.

The Secretary of Labor says further:

There may be faults on both sides of this bituminous dispute, but the side that openly repudiates its written and signed obligations has crippled its case before the bar of public opinion.

The agreement signed by the parties regarding a future conference is as follows:

Resolved, That an interstate joint conference should be held prior to April 1, 1922, the time and place for holding such meeting to be referred to a committee of two operators and two members from each State herein represented, together with the international officials of the United Mine Workers of America.

The mine operators, notwithstanding this solemn agreement, which both parties entered into at the instance of the Government, absolutely refused to keep their agreement, and, taking advantage of the fact that there were millions of men out of employment, gave notice that April 1, 1922, they would reduce the wages of their employees one-fourth of the present wage.

PUBLIC ENTITLED TO THE FACTS.

When the Federal Trade Commission, another Government agency of the highest standing, attempted two years ago to get the facts as to the cost of mining coal and what it could be sold for at a reasonable profit, the coal operators immediately applied to the United States district court and upon their affidavit, with no notice to the Government, obtained an injunction which has prevented the Government from obtaining the desired information. The Federal Trade Commission appealed, but the appeal is still pending. The commission was enjoined on the ground that the coal business was intrastate, and hence the Federal Trade Commission had no jurisdiction. At the same time a State commission in one of our States undertook to investigate the coal operators in that State. The United States court promptly issued an injunction restraining the State commission from proceeding, on the ground that the coal business was interstate. Surely both of these positions can not be right. The Federal Trade Commission has been sustained in 13 out of 14 appeals to the United States Supreme Court. Notwithstanding this splendid record, the district courts go on the presumption that the Federal Trade Commission is always wrong and the corporation right.

Another case of the Federal Trade Commission having its arms tied by the courts was when it started to investigate the Steel Trust under the statute passed by Congress which plainly gave it that power. That case is still pending in the appellate court.

If the Federal Trade Commission could have made its investigation of the coal companies when it attempted to two years ago, the facts would have been known and the present strike prevented.

TRUTH WILL HURT NO ONE.

Why do the owners of the coal mines object to the Government of the United States having the facts as to the cost of mining a ton of coal and delivering it to the producers? Why do they not welcome a conference with Secretary of Labor

Davis? Why are they not willing to meet the representatives of the miners and sit around the table with a member of President Harding's Cabinet and discuss the facts as they agreed in writing to do?

There is only one answer, and that is that they fear the facts. They know that if the truth was brought out, the way it would be by the Federal Trade Commission, they could no longer mislead the public with their propaganda, and the condemnation of 100,000,000 people would rest upon them and compel them to be fair to their employees and fair to the public. If we had known the facts in the time of the war the public would not have allowed 38 per cent of the coal companies to make over 100 per cent profit on their capitalization.

FACT-FINDING AGENCIES SHOULD BE ESTABLISHED.

The first step taken by Congress should be to establish a permanent fact-finding agency on the coal industry. It should be endowed with full power to get and to publish all the facts without the interference of ex parte injunctions. Let the presumption be that the Government agency is right and let the corporation appeal to the courts, and pending the appeal let the decision of the Government agency stand until it is reversed. Now, the presumption seems to be that the Government is always wrong and the corporation right, although, as I have shown, the highest court in the land sustained the Federal Trade Commission in 13 out of 14 cases.

THREATENED RAILROAD STRIKE.

Over 1,200,000 railroad employees directly affected by the drastic wage reduction will go out on a strike July 1. Undoubtedly the strike will be augmented so that it will ultimately result in a strike of over 2,000,000 railroad employees.

The cut in wages of the maintenance-of-way employees brings the wages of these men, they claim, below a living wage. Are the men justified in striking under these circumstances?

LESS THAN A LIVING WAGE.

Under this drastic cut in their wages 100,000 section men will receive a wage of \$563.04 a year. The average wage of all section men—more than 250,000—will be \$800.50 per year, with reductions for every day lost on account of bad weather, sickness, or a day taken off for a vacation. Divide these amounts by 312 days—the number of working days in a year, figuring 26 working days to the month—and you have 100,000 men working for \$1.83 per day and 250,000 men working for an average of \$2.59 per day. I challenge anyone to show how a man can live as a human being should live, to say nothing about supporting his family according to American standards, on \$1.83 per day or \$2.59 per day.

The statisticians of our Government, disinterested and high authorities, figure the cost of living of a family of three according to American standards at not less than \$1,800 per year.

Contrast the wages received by these 100,000 men, most of them men with families, working for \$1.83 per day, and the 250,000 other employees working for \$2.59 per day, with the words and promises of the highest officials of our Government. Take, first, President Harding's splendid utterances. President Harding, speaking in New York May 24, 1921, said:

In our effort at establishing industrial justice we must see that the wage earner is placed in an economically sound position. His lowest wage must be enough for comfort, enough to make his house a home, enough to insure that the struggle for existence shall not crowd out the things truly worth living for.

There must be provision for education, for recreation, and a margin for savings.

There must be such freedom of action as will insure full play to the individual's abilities.

If this splendid sentiment so beautifully expressed by President Harding were carried out in fixing the wages of the laborers of the United States there would be no labor troubles, there would be no discontent, and prosperity and happiness and contentment would follow.

Secretary Davis, a member of President Harding's Cabinet, in defining a "buying and saving wage," said:

It must be sufficient for even the lowest paid wageworker to be able to purchase the necessities of a comfortable living based on American standards and to save an amount that will meet the exigencies of a time when the wageworker shall have ceased to be a producer.

Senator CUMMINS, of Iowa, one of the authors of the Esch-Cummins bill, said in a speech April 17, 1922:

I suppose those who framed the transportation act never dreamed that when the Government undertook to fix wages the wages of any man who was required to work would be less than would be necessary to support him and his family in reasonable comfort.

How can we reconcile these fine sentiments of men in places of power with wages of \$1.83 a day and \$2.59 a day for men with families to support? These men can not live on splendid-sounding phrases. These words will not buy bread and butter for hungry children, nor shoes and stockings, nor pay coal bills,

nor pay exorbitant rents to shelter the laborer and his family from the winter storm.

CHURCH PAPER CONDEMNS CUT IN WAGES.

What does a great church paper say about the drastic cut made in the wages of the railroad workers? The *Congregationalist*, official organ of the Congregational Church of Massachusetts, a paper that has readers throughout the length and breadth of the United States, has the following editorial on the wage cutting:

Those who have viewed with hope the tendencies in recent years on the part of large private, public, and semipublic corporations to treat labor as something more than a mere commodity and to bring the wages of unskilled labor a little nearer the standard of reasonable subsistence, will view with regret, if not with a measure of alarm, the great cut in wages of unskilled railroad workers which the Railroad Board, with the three representatives of labor dissenting, has recently ordered. The former scale of wages was considerably below the requirements for the maintenance of life and home, according to what Government experts have established as a reasonable standard. Few of those who will favor this reduction would themselves care to accept that as a personal standard, and all honest and considerate men will recognize that with prices still at a high level the reduced wages are far below any scale of decent living, to say nothing of comfort and proper home life.

We may rest assured that when any large group of workers are ill housed, ill fed, and ill clad the community ultimately pays the price. Cheap labor is the costliest of all cheap things.

It is idle to say that labor is a commodity and that the laws of supply and demand are inexorable. That is only partly true. In the higher walks of life more or less arbitrary standards of pay have been established, affording reasonable reward and comfort to the men doing certain work, quite independently of the fact that other men could be secured to do the work as well at lower pay. The recognition of many men in control of public corporations and large industries that wages must have some relation to living conditions has tended to raise the level of wages of unskilled workers everywhere. We deplore, therefore, an example that is likely to have evil effect all around, and we regard as especially inimical to public interest and safety the pushing downward of that great army of workers in "maintenance of way" upon our railroads. If there were no other than a selfish consideration, too much depends upon those workers to risk the weakening of their morale.

LABOR ALWAYS LOYAL.

The laboring classes of this country responded to their country's call in the last war and in every other war we have ever had with an enthusiasm and loyalty that won for them the plaudits of the people.

ENTIRE NATION INVOLVED.

I was informed by the Department of Labor that at the time of the coal strike, April 1, there were at least 5,000,000 men out of employment. Add to this the 650,000 coal miners who are striking because they were not given a living wage, and then add to this 2,000,000 men who will undoubtedly be involved in the threatened railroad strike July 1, and we have 7,650,000 people out of employment. Figuring four persons as dependent upon each wage earner, which is a conservative estimate, and we have over 30,000,000 people without means of support. These 30,000,000 people will cease to be purchasers except to a very limited extent, for idle men and women have very little to purchase with. Every line of industry in the United States will, of course, suffer. As Secretary of Labor Davis said:

If each of the 7,097,283 women clerks and wage earners in the United States and the wives and daughters of the 23,346,373 men clerks and wage workers in the United States could buy another cotton dress, another woolen dress, another silk dress, the question of unemployment in the textile industries would be solved. And what is true of textiles is true of nearly all other industries.

Reduce wages to that of the Chinese coolie, and you close the factories of the United States, you close the coal mines, and you stop the railroads.

The Secretary of Labor further says that in paying the American worker in terms of a buying and saving wage "we are not giving capital away; we are bringing new brains and enterprise into the use of capital."

Take again the tremendous loss in wages of 7,650,000 men out of employment, at a wage of \$3 per day, the minimum wage fixed by Congress in the District of Columbia, and you have a loss in wages alone of \$22,950,000 a day. Besides this, the amount of loss in what these men would produce would amount to many times their wages. Economists say that the coal strike has already resulted in a loss of over \$500,000,000.

ECONOMIC LOSS NOT AS GREAT AS OTHER LOSSES.

The economic loss to the Nation, although very great, is small in comparison with other ills that follow unemployment. What will be the effect upon the 30,000,000 people involved in this unemployment? There will be an increase of tuberculosis and other diseases that feed on undernourished children and men and women; you will have millions of excellent citizens embittered and resentful and desperate because they are out of work and out of money and unable to purchase food; crime is always more prevalent and many other curses always follow in the wake of unemployment and poverty.

ENTIRE NATION SUFFERS.

With the coal mines being operated in only a small way and the scarcity of coal becoming greater every day, so that it is

inevitable that there will be a shortage the coming winter even if the strike should stop now and the railroads should be run to their greatest capacity, it means that the prices for coal will be prohibitive and if obtainable at all will be only within the reach of the well to do, and many will be unable to keep from freezing. When we augment the situation caused by the coal strike with the railroad strike, the textile strikes, and the unemployment, we are facing the greatest crisis that ever confronted this Nation.

SUPERCORPORATIONS.

The same powerful interests that own the coal mines own the railroads. In my speech on March 30 on the threatened coal strike I gave a list of the powerful financial interests who, through their interlocking directorates, control the output of coal. I also showed how these same interests control the greater portion of the country's steam transportation system. I gave the names of 25 men who control 82 per cent of the country's steam transportation system, operating 211,230 miles of railroad.

I repeat this statement and at the close of the extension of my remarks I am giving the names of the railroads and other corporations in which these men hold directorships. My authority is the Directory of Directors of the City of New York, the latest print that was available in the Congressional Library being from 1919 to 1920. This work is issued by the Audit Co. of New York, 14 Wall Street, New York, and is considered authentic.

Take, for example, J. P. Morgan & Co., the Guaranty Trust Co., the Bankers Trust Co., and the First National Bank of New York. Back in 1913, in the Money Trust investigations by Congress, these five financial institutions held 89 directorships in various banks and trust companies, 29 directorships in insurance companies, 78 directorships in transportation systems, 49 directorships in producing and trading corporations, and 16 directorships in public utility corporations; in all, 261 directorships. (Page 997, vol. 10-20, U. S. Money Trust Investigation.) The wealth of these companies has been augmented very much in the last 10 years.

Take, for another example, the Chase National Bank, of New York, one of the powerful financial interests. Back in 1912, at the time of the Money Trust investigation, the Chase National Bank had 22 directorships in 10 of the largest banks and trust companies.

The National Bank of Commerce of New York in 1912 had 57 directorships in 22 large banks and trust companies, these banks and trust companies having resources of over \$2,000,000,000. This bank also had at that time 21 directorships in 9 insurance companies, including the Equitable and the Mutual Life Insurance Co.

Railroad labor need not expect any mercy from these people, because they are the same interests that have brought on the coal strike. They are the same interests that have oppressed the laboring men in the steel industry, which was condemned in a most scathing report of the interchurch committee that investigated the steel industry three years ago.

LEST WE FORGET.

The exploitation of the railroads of the United States by their officials and directors has repeatedly been a national scandal. The *crédit mobilier*, in 1873, involved directors of railroads, judges, and legislators. Anyone that is interested can get from the library the Poland Report No. 77. Another inquiry was made into the affairs of the Union Pacific Railroad Co. and like conditions unearthed and can be found in the Wilson Report No. 78.

Skipping over these earlier railroad scandals, I take up the reports of the United States Interstate Commerce Commission, rendered from 1914 to 1917, in re financial transactions of the New York, New Haven & Hartford Railroad Co., docket No. 6569. Report of the investigation of the St. Louis & San Francisco Railroad and others, docket No. 5933. In re Pere Marquette Railroad Co. and Cincinnati, Hamilton & Dayton Co., docket No. 6833. Investigation of the financial transactions, history, and operation of the Chicago, Rock Island & Pacific Railway Co., docket No. 6834. In re financial relations, rates, and practices of the Louisville & Nashville Railroad Co., docket No. 6319.

If you read these reports you will see how the railroads have been exploited by these same men—the Morgans, Vanderbilts, and Rockefellers—that are now controlling the railroad systems of this country.

I have not the time to quote extensively from the reports of the Interstate Commerce Commission, who have condemned in the strongest way the practices of these railroad officials in exploiting these railroads. I will quote briefly a few extracts from the report on the New Haven scandal:

THE NEW HAVEN SCANDAL.

The New York, New Haven & Hartford Railroad, on June 30, 1903, with a total mileage of 2,040 miles, had a total capitalization of \$93,000,000, of which \$79,000,000 was stock and \$14,000,000 bonds.

On June 30, 1912, the capitalization, excluding stock premiums, had been increased to \$417,000,000, an increase of \$324,000,000 in nine years, although in that time mileage operated had only been increased 50 miles. (See Reports of Interstate Commerce Commission, vol. 27 and vol. 31, which disclose the details of the scandalous history of the New Haven Railroad.)

FALSIFICATION OF BOOKS.

The extent of the fraudulent methods of the New Haven road is illustrated by the following extract from the report of the Interstate Commerce Commission:

As one illustration of the devious financial operations of this railroad let us take the undisputed facts appearing of record as to shifting of funds to show dividends earned in the year 1912, as exhibited in the annual accounts. This is not an isolated case, but was more in the nature of a practice with the subsidiary companies, as the investigation discloses.

To make up its own income account, the New York, New Haven & Hartford Railroad Co. reported as receiving certain sums as dividends on stocks owned and controlled, the largest of which appears to be a dividend of \$2,252,500 from the New England Navigation Co., which was paid, according to the record, on June 26 and 29, 1912.

The effect of the transaction means that the New York, New Haven & Hartford Railroad Co. advanced \$2,000,000 in cash for another company to pay to it dividends on its stock and included the amount so advanced in its income as a dividend received. In other words, the New York, New Haven & Hartford Railroad Co. set up in its income account an item of \$2,000,000 on one side and an asset consisting of \$2,000,000 in paper on the other side.

The accounts of the company are replete with instances in which profits have been declared to be earned by the transfer of stock, bonds, debentures, and securities of one of the subordinate and subsidiary companies of the New Haven system to another such subsidiary company, and such profits are solemnly recorded as real profits in making up the account of the system as a whole.

Is it right to deny a living wage to the laborers who make it possible for the railroad companies to operate their lines? In other words, is the dollar to be placed above the man?

I have taken up just one of the groups of railroad employees affected by the Labor Board's decision. The second decision affected the so-called "shop crafts," including machinists, boiler-makers, blacksmiths, sheet-metal workers, electrical workers, car men, and so forth. The third decision had to do with the clerical forces, stationary firemen, engineers, oilers, and the signal department employees.

An equally strong case could be made against the cut in the wages of the above group included in decisions Nos. 2 and 3. The public has been misled by the propaganda and extensive advertising of the railroad companies to believe that the engineers and other employees of the railroads were receiving extremely high wages. The true facts have been brought to light by data collected by the Interstate Commerce Commission and the United States Railroad Labor Board. According to the carefully compiled figures of the Railroad Labor Board the average daily earnings of the engineers are as follows:

	Per day.
Passenger engineer.....	\$8.00
Through freight engineer.....	7.05
Local freight engineer.....	7.44

This includes overtime as well as regular pay, and is the total daily compensation received by the average engineer since July 1, 1921, when decision No. 147 of the Labor Board was rendered.

In the same report there is also given the average monthly wage received by engineers, which indicates that many of them do not work full time. The highest average wage stated is but \$185.93 per month, which tapers to \$119.56 for yard and local engineers per month.

When we consider the great responsibility of the engineer, the number of lives that are dependent upon his careful, vigilant, and skilled service, also the fact that an engineer has to measure up to the highest physical test—so severe that 17 per cent of the firemen who aspire to become engineers are rejected at the end of three years because their eyesight becomes impaired by the fierce glare of a grate of coal throwing off 2,800 degrees of heat, and an additional 76 per cent failing to exhibit the temperament and natural ability required of an engineer, so that only 17 out of every 100 candidates ever become engineers—we can not help but come to the conclusion that engineers have certainly never been overpaid.

* RAILROADS INSIST ON LARGE RETURNS FOR THEIR INVESTMENT.

While the railroads are demanding that the workers' wages be reduced, they are insisting that the wages of the dollar—the returns on the capital they have invested—shall be increased. During the war the Government paid the railroads \$906,000,000 a year rental, which was supposed to be the average of their net income during the most profitable years of their existence, 1915, 1916, and 1917. Senator CUMMINS said this was so high that it "shocked the moral sense of mankind,"

and he claimed it should be reduced by \$200,000,000. In its latest decision the Interstate Commerce Commission has authorized the railroads to collect 5½ per cent on \$18,900,000,000, which would amount to \$1,086,750,000, or \$180,000,000 more than the Government paid during the war.

But the railroads are not satisfied. During the hearings before the Interstate Commerce Commission their authorized spokesmen demanded 6 per cent on a valuation of \$30,000,000,000.

We hear the claim made that the railroads have been skimped during recent years. They certainly were not skimped when the Government paid them \$906,000,000 a year rental.

In 1918, the first year of Government control, the Government spent \$622,000,000 more on maintenance than had been expended in 1917 and over \$700,000,000 more than had been expended in 1916. In 1919 the Government expended on maintenance, and so forth, \$297,000,000 more than the preceding year, and in 1920, eight months of which were under Government control or Government guaranty, \$625,000,000 more was spent on maintenance, and so forth, than the preceding year.

These figures are sustained by the testimony before the Senate Committee on Interstate Commerce, and can be found in the testimony of Dr. Frank J. Warne, a statistician and economist of national reputation.

These figures corroborate the statement of Walker D. Hines, former Director of Railroads, and William G. McAdoo, who testified before the same committee, and ought to put at rest the statement that the railroads were starved during Government control.

THE COMPANIES THAT REDUCE WAGES HAVE NOT REDUCED THEIR COMMODITIES.

Coal and gasoline continue to rise in price and are higher now than at any time in the war. At the signing of the armistice, November, 1918, anthracite coal, according to the operators' own figures, sold at the mouth of the mine for \$6.10. October, 1920, two years afterwards, when farm produce had deflated so that it was selling for less than the cost of production, anthracite coal sold at the mouth of the mine for \$7.95, \$1.85 per ton in advance of two years previous and \$2.90 more than it did December 1, 1917, when we were engaged in war and when the companies were making over 100 per cent profits.

The following are figures furnished by the anthracite operators themselves:

In 1902 anthracite coal sold for \$3.75 per ton at the mouth of the mine. The price stayed about the same when it was raised to \$4 per ton in 1912. The following gives the cost of coal at the mouth of the mine.

	Per ton.
June, 1912	\$4.00
May, 1916	4.40
May, 1917	4.70
December, 1917	5.05
November, 1918	6.10
August, 1919	6.60
April, 1920	7.45
October, 1920	7.95

CONCLUSION.

It is an open boast of the great financiers who have obtained their great wealth largely through the acquirement and monopolization of great natural resources, who are the owners of the railroads, coal mines, and who control iron, steel, copper, petroleum, and so forth, that they are going to destroy organized labor. They are going to attempt to do this if they stop production, paralyze the industries of the country, and let gaunt famine stalk throughout the land. They are appealing to the Government and courts to aid them. Will the Federal Government lend its aid to such purpose? I can not believe that it will when I read the message of President Harding delivered before Congress December 6, 1921, in which he said:

The right of labor to organize is just as fundamental and necessary as is the right of capital to organize. The right of labor to negotiate, to deal with and solve its particular problems in an organized way, through its chosen agents, is just as essential as is the right of capital to organize, to maintain corporations to limit the liabilities of stockholders. Indeed, we have come to recognize that the limited liability of the citizen as a member of a labor organization closely parallels the limitation of liability of the citizen as a stockholder in a corporation for profit. Along this line of reasoning we shall make the greatest progress toward solution of our problem of capital and labor.

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 Vice president, treasurer, and director, Chesapeake & Ohio Railway Co.
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President, Southern Railway Co., 1913.

Chairman of Railroads War Board, 1917.

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 Director, Discount Corporation Co. of New York.
 Director, First Security Co. of New York.
 Director, International Mercantile Marine.
 Director, Montana Farming Corporation.
 Director, New York & Harlem Railroad Co.
 Director, Northern Pacific Railway Co.
 Director, Pullman Co.
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 President and director, Alaska Gastineau Mining Co.
 President and director, Alaska Gold Mines Co.
 Director, Allis-Chalmers Manufacturing Co.
 Director, American Locomotive Co.
 Director, American Pneumatic Service Co.
 Director, Art Metal Construction Co.
 Vice president and director, Bingham & Garfield Railway Co.
 Executive committee and trustee, Boston & Worcester Electric Co.
 Director, Boston & Worcester Street Railway Co.
 Vice president and director, Butte & Superior Copper Co.
 Vice president and director, Chicago, Rock Island & Pacific Railway Co.

Vice president and director, Chino Copper Co.
 Director, Continental Zinc Co.
 Director, Cramps Ship & Engine Building Co.
 Director, Cuba Cane Sugar Corporation.
 Director, Duquesne Light Co., of Pittsburgh.
 Trustee, Equitable Trust Co., of New York.
 Director, Foreign Bond & Share Corporation.
 Vice president and director, Foster Engineering Co.
 Director, International Nickel Co.
 Director, Lamson Store Service Co.
 Director, Massachusetts Institute of Technology.
 Chairman of board, Minneapolis & St. Louis Railway Co.
 President and director, Nassau Light & Power Co.
 Director, National Surety Co.
 Director, Nevada Consolidated Copper Co.
 Director, Nevada Northern Railway Co.
 Director, Pere Marquette Railway Co.
 Director, Philadelphia Co., Pittsburgh.
 Treasurer and director, Ray & Gila Valley Railway Co.
 Vice president and director, Ray Consolidated Copper Co.
 Director, Scandinavia Trust Co.
 Vice president and director, Simms Magneto Co.
 Director, Twin City Rapid Transit Co.
 Vice president and director, Utah Copper Co.
 Director, Utah Power & Light Co.
 Director, Utah Securities Corporation.
 Director, Wright-Martin Aircraft Corporation.

ALBERT H. HARRIS.

Vice president, New York Central Railroad Co.
 Director, Addison Railroad Co.
 Director, Beech Creek Extension Railroad Co.
 Vice president and director, Beech Creek Railroad Co.
 Director, Calumet Western Railway Co.
 Director, Central Indiana Railway Co.
 Vice president and director, Chicago, Kalamazoo & Saginaw Railway Co.
 Vice president and director, Cincinnati, Lafayette & Chicago Railroad Co.
 Vice president and director, Cincinnati Northern Railroad Co.
 Vice president and director, Cincinnati, Sandusky & Cleveland Railroad Co.
 Director, Cleveland & New Castle Railway Co.
 Vice president and director, Columbus, Hope & Greensburg Railroad Co.
 Director, Dayton & Union Railroad Co.
 Vice president and director, Detroit River Tunnel Co.
 Director, East Side Traction Co.
 Director, Electric Express Co.
 Vice president and director, Evansville, Mount Carmel & Northern Railway Co.
 Vice president and director, Fairport & Phalanx Railroad Co.
 Director, Findlay Belt Railway Co.
 Vice president and director, Fort Wayne, Cincinnati & Louisville Railroad Co.
 Director, Fulton Chain Railway.
 Director, Genesee Falls Railway Co.
 Director, Glen Haven Improvement Co.

Director, Guaranty Trust Co., of New York.
 Vice president and director, Hudson River Bridge Co., of Albany.
 Vice president and director, Hudson River Connecting Railroad Corporation.
 Vice president and director, Indiana Harbor Belt Co. Railroad.
 Vice president and director, Kanawha & Michigan Railroad Co.
 Vice President and director, Kanawha & West Virginia Railroad Co.
 Vice president and director, Lake Erie, Alliance & Wheeling Railroad Co.

Vice president and director, Lake Erie & Eastern Railroad Co.
 Vice President and director, Lake Erie & Western Railroad Co.
 Director, Lansing Transit Railway Co.
 Director, Louisville & Jeffersonville Bridge Railroad Co.
 Director, Mahoning & Shenango Valley Railway Co.
 Director, Mahoning Coal Railroad Co.
 Director, Merchants Despatch Transportation Co.
 Director, Mohawk Valley Co.
 Director, Monongahela Railway Co.
 Director, New Gauley Coal Corporation.
 Vice president and director, New Jersey Junction Railroad Co.
 Vice president and director, Northern Ohio Railway Co.
 Director, New York State Railways.
 Director, New York & Fort Lee Railroad Co.
 Vice president and director, Ottawa & New York Railway Co.
 Director, Ogdensburg Terminal Co.
 Vice president and director, Peoria & Eastern Railway Co.
 Vice president and director, Pittsburgh & Lake Erie Railway Co.
 Director, Pittsburgh, McKeesport & Youghiogheny Railroad Co.
 Director, Raquette Lake Railway Co.
 Director, Rochester Electric Railway Co.
 Director, Rochester Railway & Light Co.
 Director, Rochester & Genesee Valley Railroad Co.
 Director, Rutland & Noyan Railroad Co.
 Director, Rutland Railroad Co.
 Director, Rutland Transit Co.
 Vice president and director, St. Clair & Western Railroad Co.
 Vice president and director, St. Lawrence & Adirondack Railway Co.
 Director, Schenectady Railway Co.
 Director, Shenango Valley Railroad Co.
 Director, Stewart Railroad Co.
 Vice President and director, Toledo & Ohio Central Railway Co.
 Director, Toronto, Hamilton & Buffalo Railway Co.
 Director, Troy Union Railroad Co.
 Director, Union Depot Co., Columbus, Ohio.
 Vice president and director, Vernon, Greensburg & Rushville Railroad Co.
 Vice president and director, Wallkill Valley Railroad Co.
 Vice president and director, Western Transit Co.
 Vice president and director, Zanesville & Western Railway Co.
 Director, Zanesville Terminal Railroad Co.

JULIUS KRUTSCHNITT.

President and director, Southern Pacific Co.
 Executive committee member, American Railway Association.
 Executive committee member and director, Arizona Eastern Railroad Co.
 Director, Erie Railroad Co.
 Executive committee member and director, Galveston, Harrisburg & San Antonio Railway Co.
 Director, Harriman National Bank.
 Executive committee member and director, Hillside Coal & Iron Co.
 Executive committee member and director, Houston & Shreveport Railroad Co.
 Executive committee member and director, Houston & Texas Central Railroad Co.
 Executive committee member and director, Houston, East & West Texas Railway.
 Executive committee member and director, Louisiana Western Railroad Co.
 Executive committee member and director, Morgan's Louisiana & Texas Railroad & Steamship Co.
 Director, Northern Pacific Terminal of Oregon.
 Executive committee member and director, Northwest Mining & Exchange Co.
 President and director, Pacific Fruit Co.
 Executive committee member and director, Penn Coal Co.
 President and director, Rockaway Pacific Corporation.
 President and director, Sonora Railway Co.
 Executive committee member and director, Southern Pacific Railroad Co. of Mexico.
 Director, Southern Pacific Railroad Terminal Co.
 Executive committee member and director, Texas & New Orleans Railroad Co.
 Executive committee member and director, Western Union Telegraph Co.
 Director, United States Mortgage & Trust Co.

CHARLES E. INGERSOLL.

Organizer and president, Choctaw Northern Railroad Co.
 Organizer and president, Midland Valley Railroad Co.
 Director, Pennsylvania Railroad Co.
 Director, Girard Trust Co.
 Director, Philadelphia Savings Fund Society.
 Director, Central National Bank.
 Director, Philadelphia Electric Co.
 Director, General Asphalt Co.
 Director, Missouri Pacific Railroad.
 Director, Philadelphia & Western Railroad Co.
 President, North Pennsylvania Railroad Co.

EDWARD T. STOTSBURY.

Member of firm, J. P. Morgan Co.
 Member of firm, Drexel Co.
 President and director, Buffalo Creek Railroad Co.
 Director, Central Railroad Co. of New Jersey.
 Director, Cox Bros. & Co. (Inc.).
 Director, Delaware, Susquehanna & Schuylkill Railroad Co.
 Director, Fidelity Trust Co.
 Director, Girard Trust Co. of Philadelphia.
 Director, Highland Coal Co.
 Director, Interstate Live Stock Co. (Inc.).
 Director, Lehigh & Hudson River Railway Co.
 Director, Lehigh & New York Railroad Co.

Director, Lehigh & Wilkes-Barre Coal Co.
 Director, Lehigh Valley Coal Co.
 Director, Lehigh Valley Railroad Co.
 Director, Lehigh Valley Railroad Co. of New Jersey.
 Director, Lehigh Valley Railway Co.
 Director, Lido Corporation.
 Director, Metropolitan Opera Co.
 President and director, Metropolitan Opera House Co. of Philadelphia.
 Director, Morris Canal & Banking Co.
 Director, National Horse Show Ass'n of America.
 Director, National Storage Co.
 Director, National Umbrella Frame Co.
 Director, New York & Middle Coal Field Railroad & Coal Co.
 Director, New York Short Line Railroad Co.
 Director, Philadelphia & Reading Coal & Iron Co.
 Trustee, Penn Mutual Life Insurance Co.
 Chairman of board directors, Philadelphia & Reading Railway Co.
 Director, Philadelphia Trust, Safe Deposit & Insurance Co.
 President and director, Reading Co.
 Director, Schuylkill & Lehigh Valley Railroad Co.
 Director, Temple Iron Co.
 Director, Transportation Mutual Insurance Co.
 Director, United Gas Improvement Co.
 Director, United Transfer Co.
 Director, Wyoming Valley Coal Co.

EUGENE V. R. THAYER.

President and director, Chase National Bank.
 Director, American Cotton Oil Co.
 Director, American Foreign Banking Corporation.
 Director, American Telephone & Telegraph Co.
 Chairman of board directors, Bankers & Shippers' Insurance Co.
 Director, Bethlehem Steel Corporation.
 Director, Boston Elevated Railway.
 Vice president and director, Chase Securities Corporation.
 Vice president and director, Chicago Junction Railways & Union Stock Yards.
 Director, Discount Corporation, of New York.
 Director, Fairbanks Co.
 President and director, Foreign Bond & Share Corporation.
 Director, Industrial Finance Corporation.
 Director, Massachusetts Bonding & Insurance Co.
 Director, Mathieson Alkali Works.
 Director, Mercantile Trust Co.
 Director, Minneapolis & St. Louis Railroad Co.
 Director, Morris Plan Co., of New York.
 Director, Otis Elevator Co.
 Director, Pere Marquette Railway Co.
 Director, Philadelphia Co.
 Director, Pilot Cotton Mills.
 Director, Pittsburgh & West Virginia Railway Co.
 Director, St. Louis-San Francisco Railway Co.
 Vice president and director, United States Guarantee Co.

THOMAS DE WITT CUTLER.

Chairman Association of Railway Executives, Philadelphia, Pa.
 Director, the Appraisals Corporation.
 Director, Arcade Real Estate Co.
 Director, Atchison, Topeka & Santa Fe Railway Co.
 Director, Audit Co. of New York.
 Director, Bankers' Trust Co.
 Director, Commercial Trust Co.
 Director, Equitable Life Assurance Society of the United States.
 Trustee, Equitable Trust Co. of New York.
 Director, Girard Trust Co.
 Director, Guarantee Co. of North America.
 Director, Guaranty Trust Co., New York.
 Director, Interborough Consolidated Corporation.
 Director, Interborough Rapid Transit Co.
 Director, the Lido Corporation.
 Director, Long Island Consolidated Electrical Co.
 Director, Long Island Railroad Co.
 Director, Matawok Land Co.
 Director, Metropolitan Opera Co.
 Director, Metropolitan Trust of New York City.
 Director, New York, New Haven & Hartford Railroad Co.
 Director, New York, Ontario & Western Railway Co.
 Director, New York Railways Co.
 Director, New York, West Chester & Boston Railway.
 Director, Pennsylvania Co.
 Director, Pennsylvania Co. for Insurance on Lives and Annuities.
 Director, Pennsylvania, New York & Long Island Terminal Co.
 Director, Pennsylvania Fire Insurance Co.
 Director, Pennsylvania Railroad Co.
 Director, Pennsylvania Tunnel & Terminal Co.
 Director, Philadelphia Savings Fund Society.
 Director, Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co.
 Director, Rapid Transit Subway Construction Co.
 Director, Rutland Railroad Co.
 Director, Standard Steel Works Co.
 Director, Subway Realty Co.
 Director, United States Guarantee Co.
 Director, United States Mortgage & Trust Co.
 Director, Waldorf-Astoria (Inc.).
 Director, Western Union Telegraph Co.

HENRY WALTERS.

Director, Atlanta & West Point Railroad Co.
 Chairman of board of directors Atlantic Coast Line Co.
 Chairman of board of directors Atlantic Coast Line Railroad Co.
 Director, Belt Line Railway Co., Montgomery, Ala.
 Chairman of board of directors Charleston & Western Carolina Railway Co.
 Director, Chesapeake Steamship Co.
 Director, Chicago, Indianapolis & Louisville Railway Co.
 Director, Columbia, Newberry & Laurens Railroad Co.
 Director, Cuba Co.
 Chairman of board of directors Louisville & Nashville Railroad Co.
 Director, Milledgeville Railway Co.
 Director, Northern Central Railway Co.
 Director, Northwestern Railway Co. of South Carolina.
 Director, Old Dominion Steamship Co.
 Director, Richmond, Fredericksburg & Potomac Railroad Co.
 Director, Richmond-Washington Co.
 Chairman of board of directors Safe Deposit & Trust Co.
 Director, Southern Cotton Oil Co.

Director, Virginia-Carolina Chemical Co.
 Director, Washington Southern Railway Co.
 Director, Western Railway of Alabama.
 Vice president and director, Wilmington Savings & Trust Co. of North Carolina.

ADJOURNMENT.

Mr. DENISON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned until to-morrow, Friday, June 16, 1922, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

646. A letter from the Secretary of War, transmitting a draft of a bill to authorize appropriations for the relief of certain officers of the Army of the United States; to the Committee on Claims.

647. A letter from the Acting Secretary of Commerce, transmitting a complete set of general rules and regulations prescribed by the board of supervising inspectors, Steamboat Inspection Service, at the meeting of January, 1922, which regulations have been approved by the Secretary of Commerce; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. COLTON: Committee on the Public Lands. S. 2460. An act to extend the provisions of section 18a of an act approved February 25, 1920 (41 Stats., p. 437), to certain lands in Utah; without amendment (Rept. No. 1104). Referred to the Committee of the Whole House on the state of the Union.

Mr. McKENZIE: Committee on Military Affairs. S. 2363. An act to abolish the limitation on military service without the continental limits of the United States imposed by the act of Congress approved March 4, 1915; without amendment (Rept. No. 1105). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FROTHINGHAM: Committee on Military Affairs. S. 3307. An act authorizing the Secretary of War to transfer to the city of Springfield, Mass., certain streets within the Springfield Armory Military Reservation, Mass., and for other purposes; without amendment (Rept. No. 1103). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DALLINGER (by request): A bill (H. R. 12031) to incorporate the World Commerce Corporation; to the Committee on the Judiciary.

By Mr. McARTHUR: A bill (H. R. 12032) to allow officers and employees of the United States to be commissioned in the Officers' Reserve Corps and to receive pay and allowances when on active duty; to the Committee on Military Affairs.

By Mr. HULL: A bill (H. R. 12033) to amend section 47c of the act of Congress approved June 3, 1916, as amended by the act of Congress approved June 4, 1920; to the Committee on Military Affairs.

By Mr. McSWAIN: A bill (H. R. 12034) authorizing the use of a special canceling stamp in a certain post office; to the Committee on the Post Office and Post Roads.

By Mr. WOOD of Indiana: A bill (H. R. 12035) to establish a bureau of prohibition, and for other purposes; to the Committee on the Judiciary.

By Mr. REED of West Virginia: Resolution (H. Res. 366) authorizing an investigation of alleged conduct of the Naval Academy class of 1922 toward Leonard Kaplan, a member of that class; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 12036) granting a pension to Ellen Mary Tweedy; to the Committee on Pensions.

By Mr. BURROUGHS: A bill (H. R. 12037) granting a pension to Peter Masterson; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 12038) granting a pension to Abigail J. Gardner; to the Committee on Invalid Pensions.

By Mr. GILLET: A bill (H. R. 12039) for the relief of Howard R. Gurney; to the Committee on Claims.

By Mr. HARDY of Colorado: A bill (H. R. 12040) granting a pension to Frank E. Jacobs; to the Committee on Pensions.

By Mr. LONGWORTH: A bill (H. R. 12041) for the relief of the Hamilton County Bank, of Cincinnati, Ohio; to the Committee on Claims.

By Mr. LUHRING: A bill (H. R. 12042) granting an increase of pension to Daniel Grubb; to the Committee on Pensions.

Also, a bill (H. R. 12043) granting a pension to Mary Jewett; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 12044) granting a pension to Kitty Lyons; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 12045) granting an increase of pension to Sarah Kennell; to the Committee on Invalid Pensions.

By Mr. ROACH: A bill (H. R. 12046) granting a pension to Martha J. Moulder; to the Committee on Invalid Pensions.

By Mr. SEARS: A bill (H. R. 12047) for the relief of Florence M. Becksted; to the Committee on Claims.

By Mr. TEN EYCK: A bill (H. R. 12048) granting a pension to Frank Morrow; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 12049) granting an increase of pension to Susan Shew; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6002. By the SPEAKER (by request): Petition of sundry citizens of Bridgeport, Okla., urging Congress to do all in its power for the protection of the Armenians; to the Committee on Foreign Affairs.

6003. Also (by request), resolutions adopted at the thirty-seventh annual meeting of the conference of State and provincial health authorities of North America relative to the production and manufacture of narcotics and to limit the supply to the real needs for medicinal purposes; to the Committee on Ways and Means.

6004. Also (by request), resolutions adopted by the Furniture Manufacturers' Association of Grand Rapids, Mich., relative to the transportation problem; to the Committee on Interstate and Foreign Commerce.

6005. Also (by request), resolutions adopted at the thirty-seventh annual meeting of the conference of State and provincial health authorities of North America approving the transfer of the legal and police activities formerly exercised by the International Social Hygiene Board in protecting the soldiers and sailors of the United States from venereal diseases to the Department of Justice; to the Committee on Interstate and Foreign Commerce.

6006. Also (by request), resolutions adopted at the thirty-seventh annual meeting of the conference of State and provincial health authorities of North America extending its gratitude for the continued appropriation made for the purpose of reducing the prevalence of venereal diseases in the civilian population of this country; to the Committee on Appropriations.

6007. By Mr. CONNOLLY of Pennsylvania: Resolutions from the following organizations, all of Philadelphia, Pa., favoring the enactment of an adequate tariff law based on the American valuation plan: Philadelphia Press Assistants' Union No. 11; Philadelphia Printing Pressmen's Union No. 4; and the United Garment Workers of America, Local No. 263; to the Committee on Ways and Means.

6008. By Mr. KISSEL: Petition of Hugo Reisinger, New York City, N. Y., relative to paragraph 216 of House bill 7456; to the Committee on Ways and Means.

6009. Also, petition of L. J. & C. D. Jaffee (Inc.), New York City, N. Y., relative to the pending tariff legislation; to the Committee on Ways and Means.

6010. By Mr. MAPES: Resolutions of the Grand Rapids Furniture Manufacturers' Association, relative to the transportation problem; to the Committee on Interstate and Foreign Commerce.

6011. By Mr. TEN EYCK: Petition from the employees of the United States Arsenal at Watervliet, N. Y., requesting the early enactment into law of an amendment to the present retirement act to provide for such employees of the Government as may be dismissed from the service due to disarmament and other causes for which they are not responsible; to the Committee on Reform in the Civil Service.

6012. By Mr. WASON: Petition of Rev. P. E. Miller and 59 other residents of Henniker, N. H., in favor of having our

Government take such immediate and drastic measures as it may deem advisable in delivering the Armenian people out of the hands of the Turkish power; to the Committee on Foreign Affairs.

6013. By Mr. YOUNG: Resolution of Bismarck Rotary Club, Bismarck, N. Dak., in respect to the reclamation of land and control of flood waters in the Mississippi and Missouri Valleys; to the Committee on Flood Control.

SENATE.

FRIDAY, June 16, 1922.

(Legislative day of Thursday, April 20, 1922.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll. The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gerry	McKinley	Shortridge
Borah	Glass	McNary	Simmons
Brandeggee	Harris	Myers	Smoot
Bursum	Heflin	Nelson	Spencer
Capper	Johnson	Newberry	Sutherland
Caraway	Jones, N. Mex.	Nicholson	Swanson
Culberson	Kellogg	Norbeck	Townsend
Curtis	Kendrick	Norris	Trammell
Dial	Keyes	Oddie	Underwood
Dillingham	King	Overman	Walsh, Mass.
Edge	Ladd	Pepper	Walsh, Mont.
Elkins	La Follette	Phipps	Warren
Ernst	Lenroot	Poinexter	Willis
Fernald	Lodge	Pomerene	
France	McCormick	Ransdell	
Frelinghuysen	McCumber	Sheppard	

Mr. UNDERWOOD. I desire to announce the absence of the Senator from Florida [Mr. FLETCHER] on account of illness.

Mr. HARRIS. I wish to announce the absence of my colleague [Mr. WATSON of Georgia], due to illness.

Mr. CURTIS. I announce that the senior Senator from Washington [Mr. JONES] is detained on official business.

The VICE PRESIDENT. Sixty Senators having answered to their names, a quorum is present.

PETITIONS AND MEMORIALS.

Mr. LODGE. I present petitions, numerously signed, by sundry citizens of Boston, Roxbury, Roslindale, Weymouth, and Dorchester, in the State of Massachusetts, for reference to the Committee on the Judiciary. I ask that the prayer of one of the petitions, which is brief, may be printed in the RECORD without the names.

There being no objection, the petitions were referred to the Committee on the Judiciary, and one of the petitions was ordered to be printed in the RECORD, as follows:

To the United States Senators:

The killing and burning alive of human beings by mobs in the United States is a reproach upon our country throughout the civilized world and threatens organized government in the Nation.

Since 1889 there have been 3,443 known mob murders, 64 of the victims being women. In only a few instances has prosecution of the lynchers been even attempted. American mobs murdered 64 persons in 1921, of whom 4 were publicly burned at stake.

The House of Representatives on January 26, 1922, in response to insistent country-wide demand, passed the Dyer antilynching bill, which invokes the power of the Federal Government to end the infamy of American mob murder.

This bill is now in the hands of the United States Senate. The undersigned United States citizens earnestly urge its prompt enactment.

Mr. GERRY. Some days ago I submitted a resolution protesting against the food, tableware, and women's wear schedules of the Fordney-McCumber bill. I now present similar protests from Annette B. Thayer, Miss Alice W. Hunt, and Mrs. Frank Gibson, all of Providence, R. I. I ask that one of the memorials may be printed in the RECORD and that they all be referred to the Committee on Finance.

There being no objection, the memorials were referred to the Committee on Finance and one was ordered to be printed in the RECORD, as follows:

HON. PETER G. GERRY,
United States Senate, Washington, D. C.

DEAR SIR: Will you please read into the CONGRESSIONAL RECORD the following resolution, and have a copy of the RECORD containing it sent me:

"Resolved, That we protest against the food, tableware, and women's wear schedules of the Fordney-McCumber bill. These schedules will increase the costs of living in every American home. They are fines levied by American men upon American women and upon American children. They should not be allowed to become law."

Yours truly,

ANNETTE BRADFORD THAYER,
149 Congress Avenue, Providence, R. I.